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Legislative Assembly

Legislature of Ontario Debates

OFFICIAL REPORT -- DAILY EDITION

Third Session of the 30th Parliament

Friday, December 10, 1976

Speaker: Honourable Russell Daniel Rowe
Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

The House met at 10 a.m.

FRIDAY, DECEMBER 10, 1976

Prayers.

Mr. Speaker: Statements by the ministry.

DRUGS MAGAZINE

Hon. Mr. McMurtry: Mr. Speaker, several members of the Legislature have asked if my ministry could take any action against the news-stand sale of a publication by the name of High Times.

On November 9 I stated in the House that the federal Department of Justice had been contacted regarding this publication, as it appeared to be a drug-related matter. I have received a response from the federal authorities indicating that although it is a drug-related matter, it is in their view a matter that could be better handled by provincial authorities under The Criminal Code. Accordingly, they do not intend to take any action.

There is no doubt but that a number of people had been offended by this drug-oriented publication and the situation, therefore, obviously warrants a full investigation followed by whatever action is warranted under the law.

Upon receiving this response from the federal authorities, I directed counsel in my ministry to view the past four months' issues of this publication in order to determine what action might be taken to prevent the continued distribution of this publication in Ontario. To assist in this task, we asked the Ontario Provincial Police to conduct an investigation with respect to the distribution and sale of this publication in Ontario. We indicated that there was urgency in this matter, and I can now advise that the initial stages of the investigation have been completed.

I would like to emphasize that in order for the Crown to establish criminality, it is imperative to rigorously analyse the contents of the magazine, to ascertain the principals involved in the distribution of the publication, and to relate that information to the appropriate sections of The Criminal Code.

A search warrant has been issued by a justice of the peace and has been executed

by the police. Further search warrants may be necessary and the police will be reviewing the results of the execution of the search warrants with counsel in my ministry. A decision on charges should be made within a matter of days.

REED PAPER

Hon. Mr. Davis: With the first announcement of the memorandum of understanding between the government of Ontario and Reed Paper, it was made clear that a full review of the environmental impact of the proposed project would be considered under the provisions of The Environmental Assessment Act, 1975. In subsequent discussions I indicated that, for this particular hearing, I would seek a chairman with judicial experience, whose general background and reputation would be assuring to all who might be involved or concerned with the matter.

I am pleased to announce to the House this morning that Mr. Justice Patrick Hartt has agreed to undertake this assignment. Mr. Hartt, as many members will know, has had an outstanding career as a lawyer and judge and has recently returned to the Supreme Court of Ontario following an interim term as chairman of the Law Reform Commission of Canada.

The role which Mr. Justice Hartt will discharge as chairman of The Environmental Assessment Act inquiry will be broad and inclusive. As members will understand, the powers under The Environmental Assessment Act are much broader and all-encompassing than those associated with a royal commission. While part III of The Public Inquiries Act authorizes a commission to appoint an investigator who might for example, seek a search warrant from a judge to obtain access to certain documents or places, the power of a provincial officer under section 26(1) of The Environmental Assessment Act is wider and more appropriate for evaluation of environmental implications. For example, a provincial officer can make, under the provisions of this Act, "such surveys, examinations, investigations, tests and inquiries as

he considers necessary" on public or private property and make or remove samples, copies or extracts subject to the provisions of the Act.

I want to take a moment to make reference to my discussions and that of my government with Chief Andrew Rickard of Treaty No. 9. I have had the opportunity to discuss this appointment with him as well as the general concerns which we both share for an absolutely all-encompassing assessment of all the implications to our native citizens of any proposed forest development.

We have agreed that the power to cross-examine, take testimony under oath, and subpoena, and the capacity to examine broad social, cultural, economic and sociological concerns of the native community as well as a full assessment of any impact on historic hunting, fishing and trapping rights of our native people, will greatly enhance the ultimate opportunity, which the inquiry under the Act will have, to reach an equitable and fair determination. It was further agreed that the chairman of the inquiry will be free to hold hearings of a community nature on reservations and a technical hearing or hearings in Thunder Bay.

All Ontarians have every right to share a common faith in the capacity of Justice Hartt to pursue that equity and fairness with a sense of commitment and a standard of excellence which have been the hallmarks of a magnificent career at the law.

Our province is indeed fortunate to have the services of this gentleman as we seek to pursue our common commitment to fairness, equity and prosperity for all our northern citizens.

OTTAWA LAND SALE

Hon. Mr. McKeough: Mr. Speaker, in reply to questions in the Legislature raised by the leader of the third party and the member for Ottawa East (Mr. Roy) earlier this week—or I guess the end of last week—regarding the Ottawa Citizen article alleging conflict of interest against Mr. Aubrey Moodie, there is no record of any request being made to the ministry in 1974 for assistance, advice or intervention into the alleged conflict of interest. The matter at that time was covered by the media and is on public record, so that members of my staff were generally aware of the situation.

Since The Municipal Conflict of Interest Act provides for judicial review of conflict of interest situations, it would not normally

be appropriate for the ministry to intervene unless asked for assistance. The Act specifically provides for action to be initiated by local ratepayers, who are most likely to be aware of conflict of interest. The Act also provides time limitations for actions to be initiated.

The ministry's involvement at this time was initiated by an oral request from a Citizen reporter to our regional director to review certain documents relating to the alleged conflict of interest to determine whether any action should be taken against Mr. Moodie.

These documents, personally delivered by the reporter, were reviewed by the staff of the regional office. Most of the documents related to a review of the situation by the township solicitor in late 1974, who expressed the opinion—clearly indicating that this was not to be interpreted as a judgement—that it had not been established that Councillor Moodie had either a direct or indirect pecuniary interest so as to create a conflict of interest. One more recent document was a copy of a bill of sale of the land in June 1976, over which the 1974 allegations of conflict of interest were made.

I might read into the record a telegram which I have received from Mr. Moodie. It reads as follows:

"The purpose of this wire is to set out my position in relation to the conflict of interest charges which have been so suitably timed to embarrass me prior to the election in Nepean. In today's Ottawa Citizen under the heading 'Publish and Be Damned,' the author, Russell Mills, in his capacity of executive editor, reveals the details of this ill-timed attack on my reputation. Despite earlier stories, the Citizen now admits the story was based on a telephone call on the basis that the caller's name would be withheld. The article further admits that it was a political attack.

"Based on the Citizen articles of December 1 and 2 in which my reputation was attacked, I would ask that you make the following statement on my behalf when you reply to the question of the opposition in the Legislature:

"I, Aubrey Moodie, support the conduct of a full inquiry requested by the Ottawa Citizen into my possible conflict of interest. Further, I ask that the terms of reference be broadened to include all plans and arrangements concerning the development of the Barrhaven area, especially the past, present and future

plans as developed by the township of Nepean.'

"I would also appreciate if you include in your statement that I request this inquiry to clear my name and reputation with the people of Ontario. I am prepared to stand on my record.

"As this issue has been used locally, I intend to release copies of this wire to the media. D. Aubrey Moodie."

This issue, when it was raised in 1974, could have been dealt with under The Municipal Conflict of Interest Act passed by this Legislature.

Indeed, the question was raised at that time and the municipality, acting on the advice of its solicitor, did not proceed to take action. Nor did any taxpayer, although I understand the issue was a matter of public knowledge.

I have yet to receive the file from the Ottawa office of Treasury but I am advised that my staff, who have given the matter careful review, will not be recommending that a public inquiry be held.

Subject to confirmation when I receive the documents, I am satisfied the public interest would not be served by pursuing this matter further by way of an inquiry.

Mr. Speaker: Oral questions.

REED PAPER

Mr. Deans: Mr. Speaker, I have a question for the Premier with regard to the statement about the appointment of Justice Patrick Hartt: Are the terms of reference restricted to the 19,000 square miles currently being requested by Reed, or is there a possibility they might be extended to allow Justice Hartt to review and to attempt to establish some policy direction for northwestern Ontario and the industry in that area?

[10:15]

Hon. Mr. Davis: As to the function of the board and Mr. Hartt and whoever may be serving with him, we've reached no conclusion as to whether there would be two, three or four other people who would serve with him on the board; that is something that will be discussed with Mr. Justice Hartt when he has some opportunity to get further into the situation.

The hearing will be confined to the Reed application or the memorandum of understanding. In my discussions with Chief Rickard we did discuss the request or sugges-

tion that Treaty No. 9 had made for a form of inquiry for everything north of the 50th parallel. If memory serves me correctly, in our discussions I suggested some form of development plan might be considered; some study whereby the government would be involved and others who are associated in that community. I discussed this with Chief Rickard. We have agreed to meet again in the latter part of January to pursue that aspect of it in some greater detail.

But I think, to be very realistic and practical this hearing will be confined to the one potential operation of Reed Paper in that particular area. The broader plan, the development plan—and I was very encouraged in my conversations with Chief Rickard that they are interested in development; he made that quite clear in our conversations—that would be a separate approach and one that I think would take a somewhat longer period of time.

Mr. Deans: Can the Premier explain why, or if it's true, that the hearings are to be restricted to the reserves and to Thunder Bay, or are those simply the focal points and the justice will be enabled to go wherever he pleases to hold hearings?

Hon. Mr. Davis: I'm sorry. I had hoped my statement made that clear. There will be no confining of the board as to where they can hold their hearings. What Chief Rickard asked me as we were discussing this was whether the technical hearings—I think the hearings will be very broad; there will be discussions of many aspects—he suggested and asked whether the straight technological evaluation of the proposed plant or mill site or whatever, could be held in Thunder Bay as opposed to, say, having it here in Toronto, since that would be more convenient. And I said certainly, from our standpoint, yes.

It is my expectation—and I mentioned this in my statement—that there would be hearings within the actual geographic area. There would be nothing to preclude hearings perhaps here in Toronto. There is nothing to prevent the chairman of the board having hearings anywhere. I think he probably will be confined to the province of Ontario, but I don't think there is anything at all that restricts it. It was just a suggestion that the straight technical aspects of it be dealt with in Thunder Bay, if possible, rather than having a number of people coming here, I think, to Toronto to do it.

Mr. Deans: One additional supplementary, if I may: Can I assume from the Premier's

statement that Treaty No. 9 are now prepared to participate in the hearing process and that the conversations that the Premier has had are an indication that Chief Rickard and others are now going to take part fully in the evaluation?

Hon. Mr. Davis: I think it's something that Chief Rickard will be discussing with the other chiefs in the Treaty No. 9 area. I explained to him, as fully as I was able to, the functioning of the Act; the right to examine under oath, which was one of his concerns; and the right to subpoena. I did speak to him about the possible appointment of Mr. Justice Hartt before I approached Mr. Justice Hartt himself.

I don't think it would be fair at this point to say that Chief Rickard can commit all of the chiefs in Treaty No. 9. He will be discussing this with them. I am confirming this by Telex this morning or this afternoon—at the first opportunity. He will be discussing this with them in the early part of January, and I would not want in any way to give my impressions to the House of what the attitude of Treaty No. 9 will be.

I can say I was encouraged during the meeting. It was a very positive one, a very constructive one, but I am sure the hon. deputy leader of the official opposition will understand that Chief Rickard has his constituency to deal with, to discuss this with, and he will be doing this, he tells me, in the early part of January.

Mr. Renwick: A supplementary question: Could the Premier tell us whether the investigation or study by Mr. Justice Patrick Hartt will extend to a consideration of the terms and conditions of Treaty No. 9 as such, to which, for practical purposes, the government of the province of Ontario was a party years ago and continues to be a party?

Hon. Mr. Davis: Mr. Speaker, I am being asked now, maybe, for partially a legal opinion. I am not sure exactly what the law might or might not say. In my discussions with Mr. Justice Hartt and Chief Rickard, I made it abundantly clear that whether or not there were one or two grey areas in the legislation we were anxious that discussion of the rights of the native people as they relate to their traditional hunting and fishing and rights flowing from any treaties in that particular area could be and should be part of the board's consideration. As I say, no statute, I guess, will ever completely cover everything in specific terms if this turns out to be something of a grey area. The chairman knows my views and there is no doubt in my mind

that that aspect of the question raised by the member for Riverdale will be covered in the hearings.

Mr. Speaker: A final supplementary on this.

Mr. Cassidy: Is it correct from the Premier's statement that the government's intention is to allow the representatives of Treaty No. 9 to cross-examine witnesses who appear before the hearing, in addition to presenting testimony on their own?

Hon. Mr. Davis: I hope I made it fairly clear—the member for Ottawa Centre, I'm sure, understands how these activities work with the expectation or hope that Treaty No. 9 people will participate in this hearing. I would assume the normal course for them to follow, if they decide to participate, would be to retain counsel who, on their behalf, would cross-examine witnesses who are before the hearing, as will anybody else be able to cross-examine.

ENERGY COSTS

Mr. Deans: I have another question of the Premier. Is it the intention of the government, given that there is rapid escalation in the cost of energy, to make any representation before the Energy Board with regard to the more recent increase request by the natural gas companies in the province of Ontario? Is there any intention on the part of the government to try to develop a more integrated energy policy, taking into account the costs and the availability of the various sources of energy?

Hon. Mr. Davis: Mr. Speaker, I think that question could be more definitively answered—I have to be very careful of that phrase, I guess—by the Minister of Energy (Mr. Timbrell). I would say, in general terms, we would like to see “a more integrated energy policy.” I am sure that's the objective of every government.

If the deputy leader of the official opposition is saying we can totally relate the increase in costs for the various forms of energy supply, I think that would be a shade unrealistic. In terms of whether or not we will be appearing before the National Energy Board on any request for rate application increase, I will check that with the minister and although I won't be here Monday I will have an answer for the hon. member.

Mr. S. Smith: By way of supplementary, could the Premier tell us whether he intends to proceed with Bill 109 on this particular

matter or whether he has some other way of determining how Ontario's consumers and taxpayers are to share in whatever development, exploration and transmission policies might be thought suitable for the future of our energy supply?

Hon. Mr. Davis: I think that's a question that should be properly put to the Minister of Energy. He may be here before the question period is over; if he isn't I will get an answer for the hon. member on Monday.

Mr. Peterson: Has the Premier given any consideration to the Ontario Energy Board taking a role in the hearings both before the National Energy Board with respect to rate basing or taking a position in that consortium for the pipeline? Has he given that any thought and what is his conclusion?

Hon. Mr. Davis: I must confess to the member for London Centre I have not personally given that any thought. It is quite possible the Minister of Energy may have given that suggestion some personal thought. I will check his personal thoughts and make sure they're conveyed to the member for London Centre.

Mr. Peterson: With his Christmas card?

Hon. Mr. Davis: Yes, I will get him to do it on his Christmas card.

LEVEL OF BENEFITS

Mr. Deans: I have a question I would like the Minister of Revenue (Mr. Meen) and the Minister of Community and Social Services (Mr. Taylor) to listen to while I direct it to the Minister of Labour. Is it the intention of the ministries that I've mentioned to bring in any legislation or to change the benefit levels in the Workmen's Compensation Board, the minimum wage, GAINS or The Family Benefits Act, in order to bring them into line with the more realistic figure required to cope with the rising cost of living?

Hon. B. Stephenson: Mr. Speaker, the one bright feature of living in Canada in this year is that indeed the cost of living rise has slowed down reasonably dramatically.

Mr. S. Smith: Thanks to the feds.

Mr. Warner: No thanks to you.

Mr. Speaker: Order, please.

Hon. B. Stephenson: I have explained to this House on numerous occasions previously

that the joint consultative committee which we appointed to provide external consideration of Workmen's Compensation Board problems has been viewing and reviewing the various levels of benefits of the board. It is, I gather, going to make its report to the board this coming week, the week beginning December 13.

Mr. Haggerty: Promises, promises.

Hon. B. Stephenson: That report will be conveyed to me once the board has considered it. As soon as that is done then we shall seriously consider whatever recommendations come from that committee and from the board. We are indeed continuing to review one specific area of problem within the minimum wage field and as yet, as the result of the incompleteness of our review, have not been able to move in that direction.

Mr. Deans: Supplementary question: Is there any co-ordination among the three ministries, given that they provide a supplement in some instances and the entire amount of income in other instances to many thousands of people across the province? Is there any co-ordination being undertaken in these three ministries to try to bring all of the benefits that are being paid by the province of Ontario to many people in need across this province, up to a level that would be satisfactory?

Hon. B. Stephenson: There is a great deal of co-ordination through both the policy field for resources development and the social policy field, and there is a great deal of input from the other ministries in the development of policies.

Mr. Bounsall: Supplementary: Would the minister assure this House that when the minimum wage is increased there will be no increase in the differential between that normal rate and the rate for tipped employees, and that the differential may, in fact, decrease?

Mr. Speaker: I didn't recall the matter of minimum wage being mentioned.

Mr. Bounsall: Yes it was.

An hon. member: Sure it was.

Mr. Speaker: Okay. That was one of the many that I guess I missed.

Hon. B. Stephenson: I shall most certainly take into serious consideration the suggestion of the hon. member.

REED PAPER

Mr. Deans: One final question for the Premier, going back to the Reed Paper matter: Could he explain to the House how the funding will be arranged with regard to groups and interested parties who might want to make representation to the board with regard to the Reed Paper application? Will they be able to take advantage of the Legal Aid Plan, for example, in order to be represented? Or will they be able to get any kind of funding from the province of Ontario to ensure their representation will be full and complete?

Hon. Mr. Davis: Mr. Speaker, I think there's been some indication that the federal government would be interested in assisting the native people; in fact, as my memory goes, I think this government said it would be prepared to assist the native people in any participation they might have.

We have not considered extending this to other groups who may or may not wish to appear. That has not been discussed, but it has with respect to the native people.

[10:30]

OHTB BUS LICENCE

Mr. S. Smith: A question for the Minister of Transportation and Communications: I wonder if the minister could tell us, for the sake of accuracy, whether he meant to tell this House that a number of bus runs which he commented on yesterday during the debate really represent excellent competition—namely, those between Hearst and Thunder Bay, Toronto and London, Oshawa and Toronto, and North Bay and Toronto? Did he really mean to say there was good competition on those runs?

Hon. Mr. Snow: Mr. Speaker, the different licences covering those duplications of services vary as to restrictions, but those routes which I mentioned during the debate yesterday are routes on which there is parallel service run by more than one company.

Mr. Nixon: Competitive overruns.

Mr. S. Smith: By way of supplementary, let's take them one at a time. The minister said that between Hearst and Thunder Bay, Grey Goose and Greyhound are in good competition. Is he aware that Grey Goose and Greyhound run every other day and consequently never compete with each other? Does that strike him as good competition?

Hon. Mr. Snow: It is an example, I believe, although I have not reviewed the licences

personally, of that being a Greyhound licensed route. Grey Goose made application and was granted the right to run over that route.

Mr. Burr: Is the minister aware that a van owner who was driving about a dozen commuters from Kitchener to Toronto was refused a licence by the Ontario Transport Board for the reason that it would offer competition to Gray Coach Lines?

Hon. Mr. Snow: I have met with, I believe, two people who are interested in running commuter vans and these were both, I believe, involved in coming from the Kitchener-Waterloo area to Toronto.

This service used to be supplied, I believe, by way of a station wagon and it was ruled by my predecessor that that did not fall under the requirements of licensing. The operator moved to a van, a small bus, I believe, with 12 or 15 seats and because he was offering a public transportation service for hire he was technically operating a bus service without a public vehicle licence. I am not sure if there was ever an application to the board for a public vehicle licence in that case.

The whole matter of car pools and van pools is one I have initiated a study on within my ministry because I think it's very important for economic purposes, for conservation of energy, that there should be a clarification as to what rules apply to a co-operative group wanting to run a commuter van or enter into car pool arrangements. I expect to have that study completed early in the new year.

If possible or necessary we may have to bring in regulations or even alter legislation to clarify the situation on how van pools or van operators running small commuter services will be handled, whether they will be licensed by the Highway Transport Board or be exempt. Right now there's no definite clarification on this.

Mr. MacDonald: You might have to state a policy, you know.

Mr. S. Smith: Getting back to the original point, Mr. Speaker, I call the attention of the House to a number of these routes on which there is alleged to be competition. Did the minister mean to say he cannot understand why Gray Coach cannot live with competition? He gave as an example North Bay and Toronto which, he said, are covered by both Gray Coach and Ontario Northland. Is the minister not aware that there is only one licence—a Gray Coach licence—and that it is a pooled service that Ontario Northland can be thrown off any time? Is he not aware that

it happens to be a pooled service, not a competitive one?

Hon. Mr. Snow: I must say, if that is a pooled service I was not aware of that. It is my understanding Ontario Northland—

Mr. R. S. Smith: It is under your ministry.

Interjections.

Mr. Speaker: Order, please.

Hon. Mr. Snow: I understand Ontario Northland does have running rights from Timmins through to Toronto.

Mr. Nixon: It is not an independent licence.

Mr. Warner: Why doesn't the minister resign? He's bungled it from beginning to end.

Mr. S. Smith: I'll make this a new question. When the minister mentions there is "good competition" in a similar situation between Toronto and London, and he mentions that Charterways, Gray Coach and Greyhound are "in competition", is he not aware that Charterways runs a very expensive VIP service, totally different from any of the others; that Gray Coach runs a milk run on one particular route to Toronto—

Hon. Mr. Davis: Ah now, don't bring the Minister of Agriculture and Food (Mr. W. Newman) into this.

Mr. S. Smith: —and that Greyhound runs a totally different express run on the QEW and 401 by a completely different route and, therefore, is in no competition whatsoever? Doesn't the minister know that?

Hon. B. Stephenson: What do you define as competition?

Hon. Mr. Snow: Yes, I am totally aware of those three licences—

Mr. Nixon: Not on the same route.

Hon. Mr. Snow: —but, as I stated yesterday, that is an example of where there are three different companies operating a public bus service between London and Toronto.

Mr. S. Smith: Supplementary: When the minister mentions "between Oshawa and Toronto both Gray Coach and Voyageur travel the same route," and he says, "I suppose nobody rides between Oshawa and Toronto," is he not aware that in fact nobody does ride between Oshawa and Toronto on the Voyageur because they are not allowed to

take people from Toronto to Oshawa, or Oshawa to Toronto? They go through Oshawa to points distant.

Mr. Nixon: Didn't know about that, eh?

Hon. Mr. Snow: That is an almost duplicate comparison to the route of Greyhound and Gray Coach that is under consideration.

Mr. S. Smith: You can't get off in Oshawa.

Hon. B. Stephenson: But that's what the Greyhound application is all about.

Hon. Mr. Snow: Under what the hon. member would like to propose, all the passengers would have to get off Voyageur at Oshawa and get on to Gray Coach.

Interjections.

Hon. Mr. Snow: This is an area which is very similar to the Greyhound-Gray Coach situation between Sudbury—

Interjections.

Mr. Speaker: Order, please.

Hon. Mr. Snow: Voyageur picks up passengers all through eastern Ontario and brings them right to Metropolitan Toronto.

Mr. S. Smith: But not from Oshawa.

Hon. Mr. Snow: And they overrun Gray Coach lines from Oshawa in. That is almost an exact parallel to having Greyhound—

Hon. Mr. Rhodes: That's right, the same as Sudbury.

Hon. B. Stephenson: That's what Greyhound is applying for.

Hon. Mr. Snow: That is almost an exact parallel to having the Greyhound service bringing their passengers that they pick up in northwestern Ontario right through to Toronto over the same run.

Hon. Mr. Rhodes: Okay. The Quebec liberals have got a problem understanding Ontario.

Mr. S. Smith: You are dead wrong, John.

Hon. Mr. Rhodes: You are away out in left field.

Mr. Speaker: Order, please. This is beginning—

Interjections.

Mr. Speaker: Order, please. We are getting a rehash of what I understand was discussed pretty thoroughly yesterday.

Mr. S. Smith: The minister should stick to what he knows, if he can find it.

Mr. Speaker: Order, please. Order. The question period, I think, could be improved by not rehashing everything that was said yesterday and debating it.

Mr. Sweeney: But it was all wrong.

Mr. Speaker: That is a matter of opinion. Order, please. You wonder about the deterioration of the question period. Let's have questions that are of urgent public importance and which we haven't dealt with yesterday—or too often at least, I guess I shouldn't just say yesterday.

Does the hon. member for Durham East have a supplementary that we would allow?

Mr. Moffatt: Yes. I would like to ask the minister, if a person wished to take a bus from Oshawa to Toronto, would he have a choice between Gray Coach and Voyageur to get from Oshawa to Toronto?

Mr. S. Smith: Of course they don't.

Mr. Nixon: They would have to go by Kingston.

Hon. Mr. Snow: No, they do not, but the people who get on the bus—

Interjections.

Mr. Speaker: Order, please.

Hon. Mr. Snow: The people who get on the bus at Port Hope, Kingston, Belleville or Peterborough—

Interjections.

Mr. Speaker: Order.

Hon. Mr. Snow: —do not have to get off the bus at Oshawa and get on to a Gray Coach bus, and that is what we are talking about.

Mr. S. Smith: I'm going to carry this on because this matter is before cabinet; and if that's a sign of the kind of understanding the cabinet has of this matter—

Interjections.

Mr. Speaker: Order, please. We've spent 10 minutes on this now. If you wish to continue, it's your time.

Mr. S. Smith: Let me ask another question of the Minister of Transportation and Communications: If the cabinet does in fact overturn the decision of the Highway Transport

Board on appeal, does the minister intend to make up to Gray Coach the revenue which they are presently losing because he refuses to take Greyhound off the runs in question? Will the minister make up the loss in revenue?

Hon. Mr. Snow: No, Mr. Speaker.

RENTAL CONSTRUCTION

Mr. S. Smith: This is to the Minister of Housing—hopefully he may know more about this matter than he does about transport.

Can the minister tell us if he has any plans to increase the amount of rental housing available in Hamilton, in view of the recent report and recent motion passed by the city council there? And is he planning to use some of the land which has been banked by OHC, on the mountain in Hamilton, to get some low-priced rental housing, which is very much needed in Hamilton?

Hon. Mr. Rhodes: The hon. member asked last week that I put some material together for him concerning the land in Hamilton Mountain. That's in the process of being done.

I'm a little surprised at the indication of the shortage. The information that I had was that one of the higher vacancy rates exists in the Hamilton area; around 3.8 per cent is the vacancy rate there. But if there's a need for rental housing certainly the land can be made available to develop rental housing, providing the municipal council will approve the zoning that's required to build the necessary facilities.

Mr. Cassidy: Supplementary: In view of that answer, and in view of the concern that the minister has expressed from time to time—

Mr. Speaker: Order, please. What does this have to do with housing in Hamilton?

Mr. Cassidy: It relates, Mr. Speaker, to the general—

Mr. Speaker: Well, I haven't heard it yet. I'll hear the member out, but it doesn't seem to be related.

Mr. Cassidy: Could the minister explain in general why less than 20 per cent of his budget has been devoted to rental housing and 80 per cent to private dwellings?

Mr. Speaker: That is completely away from the original question.

TAX REBATE ON CONDOMINIUMS

Mr. S. Smith: One final question, to the Minister of Revenue:

In view of the situation last fall when it was decided that condominium owners had been unjustly over-assessed, relative to other forms of owner-occupied housing from 1971 until 1975, can the minister tell the House whether he might reconsider his decision to permit a property tax rebate only to those unit owners who appealed their assessments, from those years in question, to both the assessment review court and to the county court? Could he widen this and permit all the condominium owners to recover, in some way, the taxes which they were unjustly charged?

Hon. Mr. Meen: As I have explained on a number of occasions, to the maximum extent I can—and for that matter where there is any justification for allowing any adjustment in these taxes—I have already acted. We amended The Assessment Act last year by Bill 8 to accommodate an adjustment in the assessment for the year 1976 and following.

With respect to every last appeal that was then outstanding and for which, therefore, the assessment rolls for the municipalities were not closed, and for which consequently one could assume the municipalities had some sort of reserve set aside to take care of any such adjustments that might be made in the courts, I instructed my people, in appearing on behalf of the municipalities in effect, concerning those assessment appeals, to adjust the assessments for those years—in some instances 1971 through 1975, the majority of instances—to adjust those on the basis of the principle contained in Bill 8.

I don't propose to amend The Assessment Act to open up all assessment appeals, all assessments of condominiums; those are owner-occupied properties like anything else. To do that would cast an additional burden on all other homes in the municipalities, would throw their finances into turmoil—finances relating back to years when there have been sales of the properties, and of course those moneys would have to be recovered out of current revenues. Therefore, I have not been proposing that any such adjustment be made to The Assessment Act, nor for that matter am I suggesting to the Treasurer that he should amend The Municipal Act.

[10:45]

Mr. S. Smith: By way of supplementary, could the minister not consider some mechanism such as a tax credit, which could be

taking place over the next five or even 10 years, by which this money could be recovered by these condominium owners, since they were unjustly taxed in the first place, and yet not overly burden the public Treasury or put a hardship on the municipalities?

Hon. Mr. Meen: I think that question might more properly be directed to the Treasurer.

Mr. S. Smith: I would redirect it then. Would the Treasurer consider a form of tax rebate over the next five or 10 years to assist these condominium owners?

Hon. Mr. McKeough: For the same reasons that the Minister of Revenue has given, no.

Mr. Cassidy: Can the minister report on the progress of settling the 30,000 appeals that were established and will be table in the House details of the number which have been settled and from which date?

Hon. Mr. Meen: I think I can give some of that information. I believe the vast majority of the 30,000 appeals that were outstanding about this time last year, if not all of them, have now been settled, and that either the municipalities have made rebates to the owners or have credited the property owners with the degree of rebate therefor applicable against their 1976 tax bills.

To the extent that my ministry have details of that, I would be pleased to get the information, provided that it's not privileged, which would preclude its production.

Mr. Speaker: The hon. Solicitor General has the answer to a question which was asked previously.

RACIAL ATTACK

Hon. Mr. MacBeth: The Legislature will recall that in recent weeks several questions have been raised concerning a racial disturbance which occurred on Weston Road. I am now in a position to report to the House on the matter. An East Indian religious and cultural festival was the catalyst of this unfortunate incident. While members of the group participated in the ceremony, a number of people gathered outside the hall, throwing rotten vegetables and shouting racial slurs. A confrontation was inevitable.

The investigation of the case by Metropolitan Toronto police has been thorough. Everyone known to be present was interviewed. However, there is considerable conflict in the statements made to police by

the witnesses. Positive identification of those allegedly committing offences has for the most part been unsuccessful, although one charge has been laid. In spite of this, an investigator from the Citizens' Complaint Bureau is continuing his work on the case. When he has gathered all the facts available, he intends to consult with a Crown attorney concerning the possibility of further charges.

The police do not enjoy their role as referees in neighbourhood bitterness. I can assure the House, however, that they are endeavouring to perform their task as impartially as possible. The member for York South (Mr. MacDonald), in whose riding this incident occurred, has also expressed concern over the matter and has met with me, police officials and with members of the local community. He has achieved some success in reconciling differences and in reaching community understanding.

While I'm on my feet, I have the answer to another question.

INTERCON SECURITY

Hon. Mr. MacBeth: The Legislature will recall that on Tuesday the member for High Park-Swansea (Mr. Ziemba) asked why the Ontario Government Protective Service does not provide security for the Ministry of Revenue offices at 77 Bloor Street West. Intercon Security provides security at that location.

At the time the question was asked, I didn't realize the building was privately owned. The occupants include the Ministries of Revenue and Culture and Recreation as well as private tenants. The owner of the building, Cadillac-Fairview Corporation, arranges and provides for security on its property.

I was asked about a particular employee of Intercon, Mr. Richard Grange. As some members may be aware, Mr. Grange was once involved with Canadian Driver Pool. However, I am informed that Mr. Grange is employed by Intercon solely as an account executive.

NUCLEAR GENERATING STATIONS

Mr. Moffatt: My question is of the Minister of the Environment. I would like to ask the minister if it is getting to be the policy of this government that all nuclear generating stations are going to be exempt from The Environmental Assessment Act or simply the Darlington generating station?

Hon. Mr. Kerr: Mr. Speaker, the Darlington generating station is not exempt from The Environmental Assessment Act. It is still under the umbrella of that Act and I would assume that future stations will take the same course.

Mr. Moffatt: A supplementary: Would the minister care to advise the House, and through the House the municipality of the town of Newcastle and the region of Durham, when procedures will be put in place so that the proper review can take place? Both the municipal and regional governments have asked for such a review before any construction takes place. It is my opinion that Ontario Hydro wishes to get to work on that site at some time in the next year.

Hon. Mr. Kerr: At the present time, Hydro is conducting two studies. One is an impact study and another is an assesment of the whole project. I believe one is available now and one will be available some time before the end of this year.

The Minister of Energy (Mr. Timbrell), of course, will be making a statement on those reports when they're both available. At that time it will be decided whether or not those studies are sufficient or whether there should be public hearings.

At that time as well, I would assume that any consideration of an exemption for that particular station would also be made. I'm aware that both the town of Newcastle and the region of Durham have asked for public hearings.

FLOOD PROTECTION STANDARDS FOR HOUSING DEVELOPMENT

Mr. B. Newman: Mr. Speaker, I have a question of the Minister of Housing. Is the minister aware that the unnecessarily restrictive flood protection standards in the Little River and the Turkey Creek areas are delaying the development of approximately 800 building lots in the city of Windsor, which would provide housing for approximately 2,000 people? Would he look into this and consult with his colleague, the Minister of Natural Resources (Mr. Bernier), and expedite these studies so that the construction could start if it is warranted?

Mr. Peterson: You spend a lot of time talking to officials. Tell us what you know about Turkey Creek.

Mr. Nixon: It was named after him.

Hon. Mr. Rhodes: I've seen some turkeys in my day but you've got to be the best, I'll tell you.

I am aware this is causing a delay. I have discussed it with my colleague but, quite frankly, it's a matter on which the local conservation authority has taken a very firm position. It is causing delay, there's no question about it.

Mr. Mancini: They shouldn't have that right.

Mr. B. Newman: Is the minister aware the studies are not completed? We're asking for an acceleration of the studies so that the housing, if it is warranted, could commence.

Hon. Mr. Rhodes: I certainly have no objection whatsoever to accelerating the development of the housing the hon. member refers to. We have been in discussion with the local conservation authority. I have seen some of the reports and we are being delayed by the present standards which it is standing by. It insists that this is a flood-prone area but I'm inclined to feel that it could ease those restrictions and the housing could be built.

LIE DETECTOR TESTS

Mr. MacDonald: A question of the Attorney General: Is the minister aware that some companies, specifically the firm of Johnson, Matthey and Mallory in the borough of York, are insisting, in current negotiations with their employees, that the employees must accept the use of what are now euphemistically referred to as psychological strain evaluators—namely lie detector machines—in their relations with employees? Is the minister aware of that and does he approve of this kind of procedure?

Hon. Mr. McMurtry: I'm not aware of it and from the limited information given to me this morning, I would say that I would have some grave concern about that practice. Certainly there's no suggestion that it offends any law, but as members know our ministry, as I think I've indicated to the House, is considering or developing a policy proposal with respect to the use of polygraph machines in employer-employee relationships. I've discussed the matter with the Minister of Labour (B. Stephenson) and she is also very interested in the proposal.

Mr. MacDonald: A supplementary: Would the minister or his ministry clarify the position with the union involved because it has been told by somebody in the ministry that

this isn't illegal? It may be that it isn't illegal but would the minister clarify that while it may not be illegal, he has concerns about it and is studying the issue?

Hon. Mr. McMurtry: Yes, I will.

Mr. B. Newman: A supplementary: When will the minister provide the House with the study he mentioned he would undertake on behalf of the city of Windsor concerning the use of the lie detector, a question which I raised in the House some months ago?

Hon. Mr. McMurtry: Mr. Speaker, I didn't undertake or agree to undertake a study on behalf of the city of Windsor. I indicated that I thought this was or should be a matter of some concern to all the people in Ontario and that a specific policy proposal is being developed. I can't state that with the few days remaining in this session it's likely to be introduced to the House but certainly I would think it would be very early in the next session.

HYDRO POWER REDUCTION

Mr. Kerrio: Mr. Speaker, I'd like to direct a question to the Premier.

In view of the question I raised on the floor—time wouldn't allow a supplementary—it's very urgent and important business when Hydro, through cutbacks and power interruptions, causes the loss of some 50 jobs in my area; in an interview last night the Minister of Energy agreed that it might not only be 50, but maybe 100 throughout the province. I had also interjected in that question the—

Some hon. members: Question.

Mr. Kerrio: —concern that there were industries in the Niagara area now considering moving into the United States. My supplementary, which is now in the form of a question, is that with the concerns I have, would he ask the Minister of Energy if in this province we could not have higher priorities for industry and those people who are going to invest in our economy, and keep the jobs here in Ontario?

Mr. Peterson: Don't ask him, tell him.

Hon. Mr. Davis: I'm sure the hon. member realizes that has always been the thrust of the government of this province. That's why we've been able to have the kind of economic development which has been so much a part of the growth of Ontario. If the opposition doesn't interfere too much, Ontario Hydro

will be able to continue to pursue that direction.

Mr. Peterson: We're behind the rest of Canada.

Hon. Mr. Davis: We run into difficulty from time to time, I would say to the hon. member, when some people opposite decide that Ontario Hydro is going a little too far a little too fast, and we have to cut back the dough; we can't build anything more; there are problems over transmission lines, and so on. All that is somewhat inhibiting for the development of the economy of this province. I'm just delighted the member for Niagara Falls recognizes this.

Mr. Nixon: Do you think Darcy made a mistake when he cut them back by \$1 billion?

Mr. S. Smith: Your restraint programme is gone.

Mr. Speaker: Order please.

Interjections.

Hon. Mr. Davis: It's true, I certainly agree with the member for Niagara Falls. Even though it was not in the form of a question, I also agree that he wants to get this position he takes back to his constituency so they recognize he's taking a very active interest. If he wants to say the Premier is also concerned, he can quote me directly as of this morning.

Interjections.

Mr. Speaker: We'll hear a supplementary from the member for Niagara Falls first of all.

Hon. Mr. Davis: Without being provocative.

Mr. Kerrio: My question was would the Premier consider talking to the Minister of Energy and getting Hydro to be more efficient with the power we're generating now?

Hon. W. Newman: That's what he said.

Hon. Mr. Davis: Mr. Speaker, I thought that's exactly what I said. I'd be delighted to talk to the Minister of Energy further but I thought that's really what I said in reply to the speech the member made just a few moments ago.

Interjections.

Mr. Speaker: Order please. A final supplementary, the member for York South.

Mr. MacDonald: When the Premier talks with the Minister of Energy, would he clarify with him whether there's been any change in the position of AMPCO—the Association of Major Power Consumers in Ontario—namely, that they were in favour of interruptible contracts as a means of reducing the size of the system and therefore reducing rates?

Hon. Mr. Davis: I would be delighted to discuss that with the Minister of Energy. I guess I would doubt that they have changed their position. That doesn't get away from the point I was making: That the people opposite have had a great deal to say about Hydro and its growth. All I'm saying is that part of the problem is—

Mr. Renwick: We get it.

An hon. member: We get the message.

Hon. Mr. Davis: —we must continue to have growth in Hydro right across the province so we can continue with economic development. The sooner everybody realizes it the better.

Mr. Renwick: Your members, too.

Mr. Speaker: Order; order please.

Mr. MacDonald: On a point of order, Mr. Speaker, I would draw to your attention, and through you to the Premier, that the report of the select committee on Hydro was a unanimous report and included his members too.

Hon. Mr. Davis: In reply to that point of order, I will say to all members in this House—and I don't want to be provocative on a Friday morning—that one of the great reasons for the success of the economy in this province has been Ontario Hydro.

Mr. MacDonald: Who is making speeches now?

Hon. Mr. Davis: I was replying to the point of order, Mr. Speaker. I don't want to make a speech.

Interjections.

Mr. Speaker: Order, please.

Hon. Mr. Davis: I have already made the point; just don't inhibit them too much.

[11:00]

Mr. Speaker: The question period has expired.

Petitions.

Presenting reports.

REPORTS

Hon. Mr. McKeough tabled the annual report of the Ontario Land Corporation for the period prior to April 1, 1976.

Mr. Speaker: Motions.
Introduction of bills.

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH AMENDMENT ACT

Hon. Mr. McKeough moved first reading of Bill 187, An Act to amend the Regional Municipality of Hamilton-Wentworth Act, 1973.

Motion agreed to.

Hon. Mr. McKeough: The measure I am introducing today is designed to facilitate public transportation facilities in the Hamilton-Wentworth region by placing the responsibility for delivering transportation services in the hands of the regional municipality. The Act provides for the acquisition of the shares of the Hamilton Street Railway Company by the regional corporation of Hamilton-Wentworth.

USE OF CHLOROFLUOROCARBONS IN AEROSOL SPRAY CANS ACT

Mr. Bain moved first reading of Bill 188, An Act to ban the Use of Chlorofluorocarbons in Aerosol Spray Cans.

Motion agreed to.

Mr. Bain: The bill provides for banning, in aerosol spray cans, the use of restricted chlorofluorocarbons, which are contributing to the destruction of the ozone layer and thereby will contribute indirectly to increasing incidences of skin cancer.

ANSWERS TO WRITTEN QUESTIONS

Hon. Mr. Welch: Before the orders of the day, I wish to table the answers to questions 127, 128, 129 and 130 standing on the notice paper. (See appendix, page 5615.)

Mr. Speaker: Orders of the day.

CONCURRENCE IN SUPPLEMENTARY SUPPLY

Resolutions for supplementary supply for the following offices were concurred in by the House:

Office of the Assembly;
Office of the Ombudsman;
Office of the Provincial Auditor.

House in committee of the whole.

RETAIL SALES TAX AMENDMENT ACT

House in committee on Bill 170, An Act to amend The Retail Sales Tax Act.

Mr. Chairman: Any comments or discussion of any section of Bill 170?

Sections 1 to 5, inclusive, agreed to.

On section 6:

Mr. Chairman: Mr. Peterson moves that the bill be amended by adding thereto the following section:

"Section 6: Not later than January 1, 1978, the minister shall cause a review to be made respecting the impact on public revenues on job creation, unemployment, investment and growth in the productive sector of Ontario, resulting from the operation of the exemptions created by paragraphs 38 and 38(a) of section 5(1) of The Retail Sales Tax Act, as enacted by section 3 of this Act; and shall lay a report setting out the results of the review before the assembly, if it is in session, and if it is not at the commencement of the next ensuing session."

And that sections 6 and 7 of the bill be renumbered as sections 7 and 8 respectively.

Mr. Peterson: Very briefly—

Hon. Mr. McKeough: Before the member speaks to the amendment, I'm wondering if he might change the wording. The reference to minister in The Retail Sales Tax Act is to the Minister of Revenue and I think probably this is a review that, if it is to be done, should be done by Treasury. I'm wondering if he would be agreeable to changing the words "the minister" to the full title "the Treasurer of Ontario and Minister of Economics and Intergovernmental Affairs."

Mr. Chairman: In the second line?

Mr. Peterson: I'll happily do that.

Hon. Mr. McKeough: In the second line. If he will so agree I will accept the amendment.

Ms. Bryden: I just wanted to say that our party intends to support this amendment. We've been asking for studies of this sort for a considerable time. In fact it should

be part of an ongoing review of any exemption to monitor the effects of it.

We really think that the forthcoming exemption should be tied to performance. The ministerial discretion which is there, which we've mentioned in the second reading debate, could possibly be used to withdraw the exemption from companies which do not perform in the sense of providing additional investments and additional jobs. Certainly that's something the minister should be looking at.

In addition we would also hope there will be a study of the current programme, which is due to expire December 31, 1976, as to its effect and whether the \$410 million that has been spent on it has actually produced any increase in jobs in this province.

Motion agreed to.

Section 6, as amended, agreed to.

Sections 7 and 8, as amended, agreed to.

Bill 170, as amended, reported.

Hon. Mr. Welch: Bill 139.

Clerk of the House: Bill 139, An Act respecting Employees' Health and Safety.

Mr. Chairman: We are dealing with Bill 139. Can we have a Minister of Labour?

Mr. Deans: Or anybody else who cares to talk on it?

Mr. Swart: We'll lend you some.

Hon. Mr. Welch: Mr. Chairman, if the committee would just give me a few minutes—I think the Minister of Labour felt there was going to be a little more time spent on the retail sales tax exemption. We have now sent for her. We can have a brief musical interlude or whatever else you might want to do.

Hon. Mr. Davis: We could sing.

Mr. Deans: Oh no, you can't, I heard you.

Hon. Mr. Davis: White Christmas, Jingle Bells.

Hon. Mr. Welch: We could, if you thought we'd the time, move out of committee and give Bill 170 third reading as the Treasurer won't be here next week.

Hon. Mr. Welch moved the committee rise and report.

Motion agreed to.

RETAIL SALES TAX AMENDMENT ACT

Hon. Mr. McKeough moved third reading of Bill 170, An Act to amend The Retail Sales Tax Act.

The House divided on the motion for third reading of Bill 170, which was approved on the following vote:

AYES

Auld
Belanger
Bennett
Birch
Breithaupt
Brunelle
Campbell
Cunningham
Davis
Drea
Eakins
Eaton
Givens
Gregory
Grossman
Haggerty
Johnson
(Wellington-Dufferin-Peel)
Jones
Kennedy
Kerr
Kerrio
Lane
Leluk
MacBeth
Maeck
Mancini
McCague
McEwen
McKeough
McMurtry
McNeil
Meen
Miller
(Haldimand-Norfolk)
Miller
(Muskoka)
Newman
(Durham York)
Newman
(Windsor-Walkerville)
Nixon
Peterson
Rhodes
Ruston
Scrivener
Shore
Singer
Smith
(Hamilton Mountain)

NAYS

Bain
Bounsall
Bryden
Burr
Davidson
(Cambridge)
Deans
Dukszta
Germa
Gigantes
Godfrey
Grande
Laughren
Lawlor
Lupusella
Mackenzie
Makarchuk
McClellan
Moffatt
Philip
Renwick
Samis
Swart
Warner
Wildman
Ziemba—25.

AYES

Smith
(Hamilton West)
Snow
Spence
Stephenson
Sweeney
Taylor
Villeneuve
Welch
Wells
Williams
Worton—55.

Ayes 55; nays 25.

[11:30]

House in committee of the whole.

EMPLOYEES' HEALTH AND SAFETY ACT (continued)

House in committee on Bill 139, An Act respecting Employees' Health and Safety.

On section 1:

Mr. Chairman: When we were last discussing this bill, the hon. member for Nickel Belt had the floor.

An hon. member: Which labour critic do we have today from that great party?

Mr. Laughren: Mr. Chairman, when we adjourned this debate on Tuesday last, we were debating section 1 of the bill.

Mr. Chairman: Could we have some order please?

Mr. Laughren: Could we have some sound, too? When we were debating section 1 of the bill, we had a prolonged debate on section 1(b). At that time, I intended to move other amendments to section 1 as well but after discussing them with a number of people who were most helpful in working out some of the legal niceties of the bill, I have reduced some of our intended amendments because we felt they were either not necessary or redundant.

In section 1(b) of the bill we still wish to move an amendment. Since we had considerable debate on it on Tuesday last, I would ask the Chairman's direction as to whether or not he wishes me to move it again, although it has been moved once.

Mr. Chairman: If the language has been changed I think you should move it again.

Mr. Laughren: I will move it again then, Mr. Chairman.

Mr. Chairman: Mr. Laughren moves that clause (b) of section 1 of the bill be struck out and the following substituted therefor:

"Employer includes a person, firm, association, body, corporation or manager as defined in Part IX of The Mining Act, who or which has, in connection with the operation of a place of employment, one or more employees in his or its service."

Do you want to read all of the amendments to (b), (c), (d), and (g) at the same time?

Mr. Laughren: Perhaps I should send you another copy of the amendments. The only other amendment to section 1 is two additions—(h) and (i), to section 1.

Mr. Chairman: We have that.

Mr. Laughren: You have that? I shall move that now if you wish.

Mr. Chairman: Mr. Laughren moves that the said section 1 be amended by adding thereto the following clauses: (h) Occupational health means, subclause (i) the promotion and maintenance of the highest degree of physical, mental, and social well-being of workers; subclause (ii) the prevention among workers of ill-health caused by their working conditions; subclause (iii) the protection of workers in their employment from factors adverse to health; subclause (iv) the placing and maintenance of workers in an occupational environment adapted to their physiological and psychological conditions.

"Clause (i) Health and safety representative means a health and safety representative selected by employees he represents."

Mr. Mancini: I believe we discussed section 1(b) the other day. My colleague the member for Sarnia (Mr. Bullbrook) put forward a very strong case on why we should not accept section 1(b) as amended by the member for Nickel Belt and we are not going to support this section.

While I am up, I would like to speak to the new section 1(h).

My colleague the member for Nickel Belt goes into a long definition and a long explanation of occupational health. I was really quite interested to see in section 1(h)(iv) the placing and maintenance of workers in an occupational environment adapted to their physiological and psychological condition. Really he'd probably have to have the workers take psychological tests to have something like this carried out. He goes just too

far. He makes the whole bill unworkable, if we are going to have something as Utopia-like as this.

He goes on to talk about the prevention among workers of ill-health caused by their working conditions. It already states in the bill that if the worker feels that a certain piece of machinery or work place will not benefit his health, he has the power not to continue to work and to bring this to the attention of his union steward and also the management. He also has appeals from their decision. I believe once again we are seeing words and amendments just for the sake of being placed.

Mr. Laughren: I will not continue the debate on clause (b) because we did cover that the other night. But on clause (h), I was not merely trying to put in amendments just for the sake of adding words but rather to establish just what we mean by occupational health.

It is agreed this is a bill affecting employees' health and safety, yet there is no definition in the bill as to what is really meant by occupational health and safety. I understand the minister feels that would be more appropriate when the omnibus legislation comes in.

All I am saying is let's establish right now what occupational health means. Would the member who just spoke for the Liberals or the minister have any objection to that kind of goal for the work place? No one is suggesting in this amendment there is a contravention of the Act if they don't strike it right on, if that doesn't happen. I don't think it's Utopian at all. I see nothing wrong with establishing those kinds of goals for workers in the work place.

What is wrong with saying there should be a maximum of physical, mental and social well-being for the workers in the work place? Maybe that is what we all are striving for. It is not just a case of determining the maximum output, but rather the maintenance and the well-being of the workers in the work place. Increasingly we know that the factors that affect workers' health are not necessarily physical but could be psychological, or could be mental and physiological as well.

Certainly any legislation that is striving to improve health and safety conditions in the work place should have in its content this kind of clause which says this is what we are striving for and that the people in the work place responsible for occupational health, namely the employers, the employees

and any government inspectors who might intervene at some stage, should be aware of what we mean by occupational health in the work place. For that reason we have introduced this amendment.

[11:45]

Clause (i) has been added primarily because the health and safety representative is not defined and yet it is discussed in other parts of the bill. We felt it should be in the definition section of the bill to indicate that what we mean by a health and safety representative is simply a worker selected by the employees. I don't think there was any other intent in the minister's bill, but this does set it out as a definition of what a health and safety representative is.

Mr. Mancini: I have to disagree with the hon. member for Nickel Belt. It states very clearly in section 2 of the bill, and I quote: "Where an employee in a work place has reasonable cause to believe that a machine, device or thing is unsafe for him to use or operate or a place in or about a work place is unsafe for him to work in," and so on. I think it states very clearly what the intent of the bill is. It's to give the employee the right to refuse work which he considers to be dangerous to his health or his safety. I really don't think we have to go into the area of pipe dreams where the member for Nickel Belt talks of the psychological conditions—

Mr. Davidson: Are you saying the safety of the worker is a pipe dream?

Mr. McClellan: Since when is occupational health a pipe dream?

Mr. Davidson: Would you repeat that?

Mr. Mancini: It is stated very clearly in section 2; and really, I think this part of the bill, amended as suggested, will make it totally unworkable. However, Mr. Chairman, I believe that we are ready to accept section 1(i) of the bill, and only that portion.

Mr. Germa: Mr. Chairman, it is quite obvious that the member for Essex South really doesn't understand what the member for Nickel Belt is trying to accomplish. Maybe he might understand this—when we are talking about social well-being we are not talking about the roof caving in on your head. We know that part is in the bill, to protect you from physical damage; but there are other things in the work place—

Mr. Mancini: You guys want to introduce all those fancy words and it is just not going to work.

Mr. Germa: There are other things in the work place which are a hazard to workers, and I suppose it's because of your lack of experience that you don't really understand what you are talking about.

Let me just give you a small instance of a situation, and I hope the minister is listening intently to this.

Hon. B. Stephenson: Oh always, Mr. Germa.

Mr. Germa: I know you received my advice very readily on former occasions; now listen to this.

Hon. B. Stephenson: I hear it.

Mr. Breithaupt: She receives it but she may not accept it.

Mr. Germa: I wish the House leader wouldn't interrupt the minister; I've asked her to pay attention to what I'm going to tell her. I ask her to listen. I cannot force her to listen, of course, but I have requested.

On Monday last, Mr. Chairman, I had occasion to meet with some people who work in the smelter at Falconbridge Nickel Mines. They were complaining about the noise in the work place and said the only place they could get any respite from the noise was in the lunch room, which wasn't very much respite anyway. I asked them what the noise level in the lunch room was and they told me it was 89 decibels. This is where people go to get out of the noise. They go into a room at 89 decibels, when we know that 90 decibels is the damage point.

So there is what the member for Nickel Belt is talking about, the social well-being of the workers. We're not talking about the machine which is unsafe to operate. That's only part of the hazards. There are greater hazards than the physical hazards, the psychological hazards, the hazards to hearing.

How can a person properly have his lunch; how does his digestive system function in a noise level of 89 decibels? That's part of the strain. How much strain can the human body take? Eight hours of noise in excess of 90 decibels, and then you have to have a lunch room with a noise level at 89 decibels.

That's why it is necessary for clause (h) to be in there, to take into consideration the total human being; not only his broken arms and his broken legs, but all of those other things that go to make up a person's anatomy, including protection from noise.

Mr. Chairman: Does any other member wish to speak to the amendment? The hon. minister.

Hon. B. Stephenson: Mr. Chairman, while I can listen with sympathy and a certain degree of concern to the statements made by the hon. members for Sudbury and Nickel Belt, on reading the definition of occupational health under clause (h) I would have to tell you that these indeed are the goals of the Ministry of Labour in proposing this kind of bill. However, as the hon. member for Nickel Belt has suggested, we believe it is inappropriate to introduce this section at this time, because this is much more appropriate for the omnibus health and safety legislation.

The purpose of this bill is an important first step, as I have said on at least three or four occasions. What we are attempting to do with this bill is to ensure the right of the worker, in using his good judgement, to refuse to do work which he considers to be unsafe for him; to ensure that in exercising that good judgement he will not be unduly penalized; to ensure that there will be some representation of workers in the development of programmes for occupational health and safety through health and safety committees in the work place or the appointments of health and safety representatives.

It is our intent—and we are working on the omnibus legislation right now—to introduce a comprehensive bill which will incorporate some of the goals that have been stated here. As they are presently stated in the amendment proposed by the hon. member for Nickel Belt, I would have to have some concern about some of the wording.

I do not believe it is the intent of this House at this time to delay this piece of legislation while we concern ourselves unduly with semantics. I believe it's important that we pass this piece of legislation at this time in order to ensure that the kinds of moves we wish to make to protect the health and safety of workers will be enacted and that we can get on with the careful examination, in the drafting of the omnibus legislation, of the very useful suggestions made by the hon. member for Nickel Belt.

Regarding amendment number one, which is clause (b) of section 1 of the bill, it is really unnecessary to define employer. The employer is already defined in The Construction Safety Act and The Industrial Safety Act. We have specifically added in our proposed Act a reference to the manager as defined within The Mining Act in order to ensure that that individual with direct responsibility for a mining establishment will be included

in the responsibilities of these Acts. But "employer" is also defined in common law, and to encumber this Act with a whole series of words which do not necessarily mean anything specifically related to this Act, I think is also inappropriate at this time.

I don't have any question about accepting the health and safety representative definition, although in the amendment we are proposing for that specific section, I think the definition is clearly delineated so that there won't be any question about who the health and safety representative is as far as the Act is concerned. If the House feels it's necessary to include the definition of health and safety representative, I would only ask that they accept my suggestion that "a health and safety representative selected by the employees that he or she represents" would be a very good idea. I am not particularly enamoured of this definition, because I don't think it adds anything to the Act. If it's the wish of this House to add that specifically, then I would hope that the members of the House would also accept my amendment regarding the role of the safety and health representative as we have set it out in section 4, I believe it is. But I really feel very strongly that we do not at this time require the kinds of fairly extensive definitions which are set out in clause (h) regarding occupational health.

I agree with the goals. I agree that they are the goals to which we should be striving. But I would warn the House that at this time we do not have the mechanisms nor the sophisticated capability to do all of the things which are suggested here. This is the goal to which we are working. This is the philosophy of the ministry. Whether you have to have that philosophy defined specifically at the beginning of an Act is something which I question.

Mr. Warner: If I understand the process correctly, when we are working in the committee stage our essential goal is to try and create some good legislation. We are looking at the clauses, we are looking at the suggestions that are put forward and we are trying to work them the best way we can to end up with a good bill. I should say, by the way, that quite frankly I have found the committee work to be a little better outside of the chamber when it takes place in the committee rooms; somehow we don't end up in the same kind of divisions that appear to be developing here.

I take the minister's comment to mean that what is embodied in our proposal for clause (h) to be in general terms acceptable to her

as goals and aims or objectives of what her ministry is trying to do and, in fact, what the ministry is presently working on for the omnibus bill, which I understand is to come forth in the spring some time. Or at least that is the target that you have set out for yourself. Then is it not reasonable to say that if you are not entirely satisfied with the way we have worded this particular section that you could come back at some point during our discussion of this bill with your own particular wording, your own suggestion, that also aims at the goals that are expressed here?

As far as I am concerned we have some particular goals. They have been expressed, and if we haven't expressed them entirely in the precise language that you would like to see, then I would be interested in seeing your suggestion and how you would like to see it work. Then perhaps we can end up incorporating what I think is a very important principle in that section into the bill now and perhaps in some way save you the difficulty of having to work it into your omnibus bill or perhaps strengthening what starts out here.

You mentioned earlier that this Bill 139 is a beginning, in some sense. It is a beginning to something. The omnibus bill I take it will follow up some of the things that we do in Bill 139. Does it make sense then to incorporate the essence of clause (h) in this bill now, and then follow it up in the omnibus bill that appears in the spring?

In conclusion I would ask the minister if she could consider taking the essence of clause (h), putting forward some of her own wording and let us have a look at it as we go through the committee stage. Perhaps we could stand down this section, if that is agreeable to the critics, and wait for the minister to come back with her own particular response. Let us take it from there, and see if we can develop this bill the way it should be done, without political divisions, and see if we can end up with a good piece of legislation for the workers in the province of Ontario.

Hon. B. Stephenson: In response to that suggestion I would have to say that although I would be very willing to attempt to spend some time to devise some delineation of the goal for occupational health I would have to say that it would probably take much more than the next 10 days to two weeks to do it in a way which is rational, which can be enforced and which can in fact be described accurately for the benefit of all

of the people who are going to be concerned with this bill.

For about five years all of those individuals concerned about health worked with the World Health Organization to define health for that organization. That was done approximately 12 years ago, and there still is no agreement that that goal is the proper one for that definition and that activity. What I am saying is that I really don't know how one could at this time say that we are going to, as a result of this specific Act—which has nothing to do with the placing of workers, with the maintenance of workers in an occupational environment adapted to their physiological and psychological condition. This simply does not apply to this interim bill. If indeed we can do something—if we can devise testing, if we can devise programmes which can reach these goals, and I am not at all sure that we are able to do that at this time, although that may be our ultimate goal.

[12:00]

It seems to me that it would be entirely inappropriate to include in this bill those sections to which they are not directly relevant. I believe they are reasonably relevant to the development of the omnibus bill, which I have said repeatedly will be developed in major consultation with the groups which are going to be affected by it.

I'm not simply talking about employers or employees, I am talking as well about health professionals of various kinds, industrial hygienists, occupational health nurses, physicians who have had some experience in this area, psychologists and all sorts of people. With their expert advice, I think we probably can develop for the omnibus bill this kind of definition which will be rational and which we can indeed live with—all of us. But I would urge you right now to consider holding the definition set out here until the omnibus bill is introduced, because we simply do not have the means and the mechanism, the technical expertise nor the professional expertise to accomplish all of them at this time. As I said, I really don't think they are relevant to this specific legislation.

Mr. Mancini: I would like to say again that we are still under the opinion that clause (h) and the definition are just not workable. We cannot accept them in their present form. I would like to say that we will be supporting clause (i) because we feel it's necessary. Just as a toss back to the member for Sudbury, who is very concerned about my experience, I've noticed in the House on

many many occasions members of his particular party who have not worked in steel mills stand up to speak on labour legislation and labour matters.

Mr. Mackenzie: I am encouraged that the minister makes the point that this is the direction or one of the aims of her omnibus bill.

Mr. Mancini: Section 2 will tell you that.

Mr. Mackenzie: You see the merit, even though you may not agree with all the wording, and the direction we are trying to take. That's encouraging. What is not encouraging is to have members in this House refer to this kind of direction for the safety and health of workers as a pipe dream.

Mr. Mancini: On a point of order.

Mr. Chairman: There is no point of order.

Mr. Mackenzie: What I do want you to consider is that, as you said, it has taken five years—without reaching agreement—for the World Health Organization to define the word health. One of the things that sometimes forces some action and some agreement, if this is a sound direction—and we feel it is and that it should be in the bill—and one of the ways you get the expertise is by doing.

One of the things that has bothered us is the length of time it seems to take to make any positive moves in this whole field. It is a question of months and years. I am wondering how long we would be debating those same sections, even in the omnibus bill. I happen to feel that necessity sometimes means some pretty positive action.

If we now lack the expertise or the machinery, if we put that into legislation—and certainly there's agreement at least that it's the direction to go—then we'll get that kind of expertise. This is a crucial bill and it is before us now. I'm not sure what's going to happen over the next few months. I think there has to be some action in this particular session.

Mr. Sweeney: Mr. Chairman, I beg your indulgence for some direction. May I ask the member for Nickel Belt to classify something?

Mr. Chairman: Yes.

Mr. Sweeney: I haven't seen these amendments before. I believe I can understand what is intended by the first three parts of clause (h), but I must confess I am somewhat at a

loss to understand the long-range implication of the fourth sub-clause of clause (h). If the member could please explain whether or not he himself has thought through the long-range consequences and implications of it and if they are workable, I would appreciate that information because I can't quite fathom it myself.

Mr. Laughren: I don't see any separation in principle of sub-clause (iv) from the first three subclauses. It has just been broadened out a bit to include the physiological conditions. I might say that putting this kind of definition in the bill does not, as the minister implied, attach any encumbrance to the bill. It does not make the bill any less workable. It does not make any contraventions of the Act more difficult to deal with.

It is simply stating in the bill what occupational health means to those of us who made it law in the province of Ontario. I think that by adding subclause (iv), wherein we say that occupational health means placing and keeping workers under environmental and occupational conditions which are adapted to their particular psychological and physiological conditions, we are merely saying that should be one of the goals.

On the weekend I saw the Charlie Chaplin film called "Modern Times," I don't know whether or not other members have ever seen that but—

Mr. Drea: It was about your party. Your biography.

Mr. Davidson: And you were the star.

Mr. Laughren: —in the film, it was like subclause (iv), Mr. Chairman. The star, Charlie Chaplin, was having enormous difficulty on an assembly line. The workmen said the management kept speeding it up on them and, without exaggerating, there was nothing unsafe about the speeding up of the assembly line but it sure didn't do Charlie's psychological and physiological condition any good, I'll tell you. While that was a parody on it, nevertheless it spoke directly to the kind of conditions we're trying to delineate in subclause (iv).

Mr. Mancini: Who's going to enforce it?

Mr. Laughren: Mr. Chairman, there really is nothing in the remaining part of the bill that requires enforcement. What we are saying is let's establish the principle of occupational health. The minister agreed. The only part where we disagree, I think, is that she is saying, "We're going to have omnibus

legislation. Let's not get into all that now. Let's wait and go through the consultant process and then we'll build these into the omnibus legislation." That's what I hear her saying. All we're saying is in view of the fact that this bill will be brought into the omnibus legislation anyway, let's get it in there now. You and I don't know what's going to happen between now and the time that legislation is before this chamber. There's a great deal of water to pass under the bridge before then.

For those reasons we have put things such as this in the bill not because it's going to necessarily—it won't make it any more difficult to administer. Putting in the goals of occupational health and what occupational health is all about has nothing to do with making the bill easy or hard to administer. It has nothing to do with the penalty section of the bill.

It's simply saying to the workers of this province and to the employers of this province—this is what we mean by occupational health. If they ask us what in the world are we trying to do down there in Queen's Park with all this publicity on occupational health, we'll say to them that's what we mean by occupational health in the province of Ontario. Let's make the work place a better place to live, a better place to work for the workers of Ontario. It's as simple as that.

Mr. Sweeney: If I could very briefly review it, it seems to me that clause (h), subclauses (i) to (iii), do fit, in some way, with the bill. I can follow that but subclause (iv) has a number of—what shall I say?—judgemental terms which leave it wide open to interpretation. That's my concern.

If I may explain—take the words placing workers; immediately I'm concerned about who is going to do this placing. I'm not saying that's necessarily the intent but that's one of the interpretations which comes out and it's fraught with danger. For example, I can see a centralized placement agency which would take an awful lot of freedom away from workers to decide for themselves where they want to work. That may not be the member's intent but that's one of the judgemental decisions which could be made there.

Take the word adapted. Adapted in what way? Does it have to be adapted every day, every hour, every month when someone feels it should be adapted? On a complex industrial site the kinds of adaptation which may be required over a short period of time may be totally impossible.

Take such words as the worker's psychological condition. Psychological condition at what point in time and based upon whose judgement?

Interjections.

An hon. member: The morning after.

Mr. Sweeney: I mean, let's really stretch it and say that a worker had a serious marital problem at home just before he left for work, and he comes in obviously very psychologically upset, extremely so.

Mr. Laughren: Traumatized even.

Mr. Sweeney: Yes, that could be. What do we do when he gets to work? How do we decide whether he's fit to work or not, and what adaptations do we have to make in the work place to enable it? It's for these kinds of reasons, Mr. Chairman, that I see subclause (iv) fraught with many dangers. It's for this reason, not for the intent that I think the member has, and a very valid intent, but the way in which it's worded here, the way in which this could be misinterpreted, the way in which it's almost impossible to apply is what would concern me. I would most certainly be open to discussing other ways of getting at the same thing, but I certainly think it would be dangerous to take this subclause (iv) the way it is now with that wide range of misinterpretation open. I just don't think that's good legislation to write in something that is going to be so impossible of application. I guess maybe that's all I can say.

Hon. B. Stephenson: The intent of legislation, as I understand it, is to provide a framework within which the people of this province can function in order to ensure that the laws of the province are maintained and that their well-being is protected. The purpose of this piece of legislation is to ensure that certain actions will be taken at this time to provide for a greater input from each and every individual worker in this province into the development of programmes of occupational health and safety, and a measure of exercise of judgement on behalf of each of those workers to ensure that he or she makes rational decisions regarding their own work place and that their rights are protected in this area.

The hon. member for Kitchener-Wilmot has raised a very interesting point related to clause (h) (iv). Exactly the same point may be raised with clause (h) (i), because who, for example, is the individual who is to make the judgement about what the highest degree

of mental and social well-being of each worker is outside of the worker?

[These are laudatory goals. They are goals that we should all be looking at with a great deal of concern and the hope of establishing that kind of programme, but it seems to me that the addition of this kind of definition, if you like, or broad outline, or view of the goals which we should all have in this area is not appropriate at this time in this piece of legislation.]

I say to you, Mr. Chairman, that I really have concerns about the necessity of including clause (b) as it is modified or proposed to be modified by the official opposition. It is not necessary. Those definitions are already present in law and it is unnecessary to encumber this bill with excessive wordiness.

I say to you that clause (h) is inappropriate at this time because it does not relate directly to the purpose of the bill which is being presented but is something which I shall look at with great interest and with gratitude in the development of the omnibus legislation. I say to you as well that clause (i) is, again, unnecessary because that is defined in other parts of the Act.

I really don't think that we should enact legislation which is so burdened with excessive verbiage that no one really is going to pay any attention to definitions. I think it's important that we get on with this business right now and do away with this long drawn-out discussion of specific added sections which would be much more appropriately discussed in the consultation process in the development of the omnibus legislation which has already begun.

Mr. Haggerty: Mr. Chairman, I want to speak on the proposed amendments of clause (h) and subclause (iv), I guess it is, on the psychological effect on employees. The member for Nickel Belt is concerned about this problem, and it pretty well gives it to you in detail in the report of the royal commission on the health and safety of workers in mines on page 251. Perhaps this is what he's concerned about. It says:

[12:15]

"Within the province responsibility for the health and safety of workers is divided between The Mining Act, The Industrial Safety Act, The Construction Safety Act, and certain other pieces of legislation. In each of the foregoing major Acts responsibility for compliance is placed upon the employer, whose operations are subject to inspection by government inspectors. The administration of The Mining Act (part IX) by the Ministry of

Natural Resources and the mines engineering branch"—and he goes on to say that the Ministry of Labour administers The Industrial Safety Act and The Construction Safety Act.

On page 252 he says: "In the commission's view the existing occupational health protection branch in the Ministry of Health has conducted critically important studies with inadequate resources and has been forced to work in a crisis-to-crisis atmosphere which is not conducive to the development of public understanding of the complexities of occupational health and safety. The commission believes that the priority given to the branch reflects the absence of a legal mandate as well the massive preoccupation of the provincial health care system with disease and diagnosis . . ."

"Few mining companies provide their workers with the services of a resident or consulting physician experienced in occupational medicine, and in the industry there are a few active specialists in industrial hygiene."

I think that's what the member for Nickel Belt is trying to get through in this amendment. I think the amendment perhaps is premature. The minister has indicated that there is an omnibus bill that will follow this. To continue quoting the report on the health and safety of workers in mines, on page 254, I think this is what the minister is trying to get at: "That a Health and Safety in Mines and Plants Act, separate from The Mining Act, be prepared to replace part IX and the relevant sections of part XI of The Mining Act and be administered within an Occupational Health and Safety Authority established in the Ministry of Labour."

I think that's the point that the minister is trying to convey to all of us here, and I would have to agree with her that the omnibus bill will go into more detail, giving a better understanding of the rights of employees in the industry in Ontario.

I cannot support the amendment regarding clause (h)(iv), I believe it is. I think the omnibus bill will cover this in more detail, and it is perhaps going to be the governing factor in occupational health for every employee in Ontario.

The key thing is that this bill here gets the show on the road, gives each employee the right to have input in safety matters concerning any industry in Ontario. I believe this is the first bill. The second bill will come back a lot sooner than has been predicted here, and I hope it will be one of the first pieces of legislation in the new session of Parliament.

It is the key, I think, to the matter concerning a number of employees in Ontario.

It's going to give improvement in occupational health and safety, and improved hygienic conditions in every place of employment in Ontario. I don't like to see the filibustering of this particular bill—perhaps I shouldn't say that—but I think we should get on with it, and amendments can follow after this bill is passed in the Ontario Legislature. I think we should get on with it now.

Mr. Chairman: Ready for the question?

All those in favour of Mr. Laughren's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Can we stack this one?

Mr. Laughren: Stack, please.

Mr. Chairman: Stack.

On section 2 of the bill, I understand there is a further amendment.

On section 2:

Mr. Chairman: Mr. Laughren moves that section 2 of the bill be struck out and the following substituted therefor:

"Where an employee in a work place has reasonable cause to believe that a machine, device or thing is unsafe for him to use or operate, or may cause a hazard for another employee, or a place in or about a work place is unsafe for him to work in, or a place where hazardous emissions are above the allowable standards or a work practice may cause his work to be unsafe, or the machine, device, thing or place is in contravention of The Industrial Safety Act, 1971, The Construction Safety Act, 1973, or part IX of The Mining Act, or any regulations thereunder as the case may be, the employee may refuse to use or operate the machine, device or thing or work in the place."

Mr. Laughren: This is one of the two sections of the bill about which we feel so very strongly. We find it unthinkable that a government would bring in a piece of legislation like this, in which it gives the worker the right to say "That place of work is unsafe for me," without building into the section of the bill as well the right, indeed, the obligation to say, "If that place of work is unsafe for my fellow employee I also must have the right to refuse to work under those conditions."

It is unthinkable that an employee would be allowed to say "I shall not work because it will hurt me, but if it hurts a fellow employee I do not have the right to refuse to

work." There are many examples which could be used to bolster the argument.

I attended the same meeting my colleague from Sudbury was talking about with the Falconbridge workers and an inspector from the Ministry of Natural Resources. The workers were describing problems of working with blast furnaces and how the blast furnaces were inadequately protected by fire jackets or boiler jackets, as they call them.

It seems to me that if the workers who are directly involved with that blast furnace see that it is not safe and that if it blew up it would hurt not just those people around them but people in the whole area, the immediate vicinity and even beyond the immediate vicinity, they would have an obligation to say, "That is an unsafe practice." If a worker is operating a machine at point A and 50 feet, 100 feet or 200 feet down the plant there is an emission coming out of the machine which the worker is operating at point A, that worker should also have an obligation, not just a privilege, to say, "I will not operate this machine because of what it is doing to my brother down the line."

Surely that is something which is terribly important. The minister, having gone so far as to say it is the right of workers to refuse to work under unsafe conditions, should take that one extra step and say that of course it includes dangerous conditions for a fellow employee as well.

By the way, in there we have added the term work practice because we felt it goes beyond a work condition. One of the things which triggered our putting in the term work practice was the construction pushers we heard about during the submission part of the bill when it was in committee. This is when a construction employee pushes the other construction workers on the job. We feel that is or certainly could be an unsafe work practice and we wish to implement it in the bill—that it is considered a work practice which could be dangerous to a fellow employee.

I do not think the argument should be used that something like this could be built into the omnibus legislation. It's a particular section of a bill. It's one of the key principles of the whole bill and we are not saying change the principle of the bill but add to it the protection of fellow employees.

While I am on my feet, I must say I resent the inference of the minister that because we bring in some amendments to a bill to improve it in the way we think it should be improved—we don't expect the minister to agree with them all—we are somehow delaying the legislative process and endangering the pos-

sibility of having this legislation passed. It is grossly unfair to impute that motive to us.

Hon. B. Stephenson: You said it.

Mr. Laughren: No, the minister said it as well. This morning the minister said that.

Mr. McClellan: Look at the tape.

Mr. Laughren: That is not our intention. We have waited a long time for this legislation. We want this legislation through in the next day or so and we will do everything we can to ensure that it is passed in this session.

Mr. Sweeney: Mr. Chairman, as I asked you the last time, I'd like the opportunity to get clarification from the member who has just spoken. I can certainly see the sense of not asking one worker to do something which is going to cause injury to another worker but, if I understand it correctly, the way the amendment reads, could it not also be interpreted to mean that if you are at a safe work place and a fellow worker, as you say, a couple of hundred yards down the line is at an unsafe work place you would have the right of not working because his working condition is unsafe? I'm just asking if you won't reread what I thought I heard you say. That's the way it could be interpreted to me and I don't think that's your intent.

Mr. Laughren: May I respond to that, Mr. Chairman? That's certainly not our intention and it's not in our amendment. It says, "that is unsafe for him to use or operate or may cause a hazard for another employee." If you start making a judgement on some other employee's work place, it's a judgement of what he or she is doing that would affect the work place of a fellow employee. There's a big difference, and the words "may cause a hazard" are the key to understanding the point raised by the member for Kitchener-Wilmot.

Mr. McClellan: I think the argument around the protection of fellow employees from harm that a worker might cause to them has been well explained by the member for Nickel Belt. I wanted just to stress again the remarks that he made around the rationale for inclusion of the phrase "work practice." I've talked on a couple of occasions about pushers in the construction industry and I don't want to go into the details again. It is my very strong opinion that the existing legislation does not give construction workers adequate redress against the actions of pushers on construction sites. That there are a number of ways and means that construction em-

ployers have had traditionally to deal with employees who are attempting to assert their rights under The Construction Safety Act, and we heard very clearly during the hearings that one of those is simply reassignment to a job which is of a one-day duration and then the employee is terminated. So, of course, no employees are fired by virtue of claiming their rights under The Construction Safety Act to refuse to work in unsafe conditions.

The only redress that we can see is in a very tough right to refuse to work and we think that this bill can provide it. I think it's important that that particular phenomenon be covered in this bill, even though you may argue that The Construction Safety Act prohibits the enforcement by management of unsafe work operations.

There isn't sufficient redress in that bill. I don't think that every single contingency can be covered specifically, although the attempt has to be made and the attempt has been made in The Construction Safety Act with I think 325 specific safe work requirements through the legislation.

Nevertheless, we know there are still problems in enforcement and more importantly problems in workers securing their rights to safety in construction. I feel that it has to do with the structure of the construction industry on the job site and of the practice of using pushers to drive people to ever increasing heights of productivity regardless of the consequences in terms of health and safety.

For this reason we have included the phrase "work practice." It simply gives an additional redress to construction workers to refuse to work in situations where they are being driven, and harried and harassed to perform their work duties unsafely, and I would hope that the minister would accept our amendment in the spirit it is offered.

[12:30]

Hon. B. Stephenson: The purpose of this section of the bill is to provide each individual worker the opportunity to exercise his or her individual judgement about the place in which he or she works, related directly to the kind of work which that individual does. If a task being undertaken by a worker were obviously unsafe for other workers, then in the judgement of that worker he has a responsibility to refuse to do it or to carry it out. I do not believe that that specific extrapolation of the statement needs to be made in this Act because I believe all workers are sufficiently concerned about their fellow workers to use and exercise their judgement responsibly.

I have some suspicion that such expansion would provide the legal beagles who might be examining this Act with a field day in terms of the kinds of arguments they might devise in order to oppose certain activities on behalf of certain workers. I would think it would be much wiser to leave section 2 exactly as it is at this time. If it is found in the short period of time in which this interim bill will be functioning not to cover all the matters and all the exigencies it should cover, then of course this bill is not etched in stone. That modification can be made at the time the omnibus bill is introduced, but I think it would be much more rational to leave it in this form at this time and proceed in that direction.

Mr. Laughren: For that very argument, I would use the argument the other way, that because this is interim legislation it will be welded in with the omnibus legislation and therefore it's an ideal opportunity to accept this amendment. Believe me, I would be the last one to encourage any more field days for the legal profession. I think they have a perpetual field day. I would do nothing that I thought would increase the possibility of that.

Mr. Breithaupt: There is no question about that at all.

Mr. Laughren: I am glad the member for Kitchener agrees with me. I think it's an ideal opportunity to accept the amendment. If there is a problem with it, by the time the omnibus legislation is being dealt with we will know about it. I can hear the arguments now. When we get to the omnibus legislation, the argument will be this isn't some kind of individual bill we are dealing with any more. This is the legislation we are going to have to live with in the province of Ontario. You won't be willing to accept an amendment such as this at that time.

I would suggest that this amendment be accepted. I don't think that it's contrary to the spirit of the bill. I believe the minister means it when she says that the employees have a sense of responsibility to fellow workers, which implies that they would refuse to work anyway. All I am suggesting is, let's not leave that open to debate because I can hear the legal beagles already making a decision without this amendment being added to the bill. For those reasons, I would urge this assembly to accept the amendment. I think it's a reasonable amendment. I don't think it does anything that is contrary to the principle of the bill and to the minister's comments.

Mr. Mackenzie: This is one of the two most important sections of the bill as far as we are concerned. I think it's just as ludicrous to argue that we will protect the worker's right to refuse that job and not at the same time and in the same bill protect his right to refuse to do a job if it does mean a danger to one of his fellow employees. I would hate to leave that up to a judgement, particularly if it ever got in the hands of lawyers, and I don't think that's the intent. It's a problem enough if you have to go through an arbitration case with it.

The minister knows, if I can use an example, that we are this coming week dealing with the fourth and final step of a particular grievance at Stelco with the crane operation, which I have raised in this House. I would point out that some of the new heavy cranes now are pretty well bounce-free and it might very well be argued that there was no hazard to the employee operating that crane if a load should drop. But, let me tell you, if there are defective claws on that crane and he knows the dropping of that load could kill some employees down below, then I would sure like to see him have the protection in this particular bill. I think it's essential that that amendment be in this particular clause of the bill.

Mr. Sweeney: Mr. Chairman, through you to the minister and indirectly to the member who is proposing the amendment—

Mr. Drea: Don't you ever get bored?

Mr. Sweeney: Madam Minister, would it make a difference to you, in terms of the argument you just gave, if the word "may" were replaced with "will"? It seems to be much stronger there, and I am not sure if I completely followed your argument before. Would that make a difference? That is simply a matter of question.

Hon. B. Stephenson: There are a number of problems with the amendment as proposed by the hon. member for Nickel Belt. Substituting "will" for "may" is not a solution, if I may say, because indeed "will" simply ensures the worker must make a decision about the relationship between his actions and the health and safety of other workers. That may, in fact, be imposing a responsibility which the worker is at this time either not willing to accept or perhaps even incapable of accepting. It is possible if it were written in this way that indeed an individual worker who did not do this could be charged under this Act, and I have some concern that this might happen.

In addition to that there are other factors within this section which I find troublesome at this time. There are allowable standards for a number of potentially toxic materials, but not all of them have been defined at this time, and not all of them do have standards set for them. To say that where hazardous emissions are above the allowable standards I guess would limit it to those which we have standards for at this time and may have in the future, but we don't know that that is going to happen.

"Hazardous" is a word which is difficult to define. It could mean almost anything in terms of the potential effect on a human being. There are also some difficulties with the words "work practice" and "may cause" because I think that introduces a possibility which may not in fact be reasonable. These kinds of loose definitions, I am afraid, are those which could cause potential trouble with the application of the purpose of this section during the interim period in which this Act is due to function. It would be much better to see whether, in fact, this is adequate and whether we need to move further than to say we must go that far and then have to move back again. It would be better, I think, to be perhaps caught on the horns of the dilemma of omission rather than commission which is proved to be wrong in the factual instance of making the legislation apply.

Mr. Laughren: If I may, Mr. Chairman, just very briefly. It is inconsistent for the minister to argue that one moment we have excess verbiage in our amendment and the next to complain because we have left the definitions too loose. I see no problem at all with—

Hon. B. Stephenson: No, the word is difficult to define.

Mr. Laughren: —the point that the minister raised about standards. Surely that is covered already, because we have already placed the whole matter in the judgement of the employee? That has already been established in principle. It is the judgement of the employee. That is what caused a lot of those groups that came before the committee to be so upset; the thought that we as legislators would give employees in the province of Ontario credit for having good judgement, and for not worrying too much about the possibility of abuses to the bill. I would suggest that there is no problem, that the opportunity for abuse or the possibility of abuse is too narrow that we should not concern ourselves with it.

Mr. Sweeney: Mr. Chairman, I would like to direct the minister's attention to just one sentence in the submission of the Ontario Federation of Labour. This is why I asked the question about changing "may" to "will". The sentence reads: "Where an employee has reasonable grounds to believe that the unsafe conditions will cause injury to another employee, the employee must have the right to refuse to continue to work until the hazard is removed." Madam Minister, I am just asking, for further clarification, what can an employee do in a situation like that when he, in fact, is doing something he has reasonable cause to believe will cause harm to someone else? Can you show me some place in this bill where he has the right to refuse to do that? If you can, then I can support you; but if you can't, I think something has to be put in somewhere to give that right. It does seem like a valid point to me and I can't see where the bill covers it. If you can I'd appreciate knowing it.

Hon. B. Stephenson: Mr. Chairman, it is not specifically included in the Act as it is at the present time. It was my strong feeling that the right to refuse to do unsafe work has already been enshrined in The Industrial Safety Act and in The Construction Safety Act. I can read the section of The Construction Safety Act—it's on page 13, section 18(3)—"No workman shall conduct himself so that he is likely to endanger himself or other persons."

It seemed to me that this was already covered in The Industrial Safety Act and The Construction Safety Act—

Mr. Laughren: What about The Mining Act?

Hon. B. Stephenson: The Mining Act? The introduction of this specific section was to ensure that the same kind of right would be extended to workers within The Mining Act. Because the Barrett committee is presently examining all sections of part IX of The Mining Act and is coming forward with recommendations which will be included in the omnibus bill but has not yet completed its deliberations, we felt this was a good step forward for those workers in mines. The responsibility not to do things unsafe for other workers is presently enshrined in The Construction Safety Act and The Industrial Safety Act.

Mr. Laughren: But not the mines.

Hon. B. Stephenson: I am sure the recommendations to The Mining Act will include some area of this sort.

Mr. Laughren: You don't know that.

Mr. Davidson: You can't guarantee that.

Hon. B. Stephenson: No, I don't know that as a matter of fact at this time, but we felt that the workers in mines should have the right now to refuse to do work which is unsafe for them. Knowing the spirit within most mines, which is very good, those workers would, if they felt it to be unsafe for themselves, refuse to do work which they felt was unsafe for themselves and for their fellow workers.

Mr. McClellan: Put it in the bill.

Hon. B. Stephenson: I would ensure that the concerns expressed within this proposed amendment will be examined very carefully when we are introducing the omnibus legislation specifically related to mines. I know that this is one area which has been examined carefully by the Barrett committee but we have not yet had its recommendations. As the members of this House know, that committee is made up of half employers and half employees within the mining area. I am sure they will have considered this kind of activity very carefully.

I do believe that we should receive the benefit of their long deliberations about the problems related to mines specifically. Therefore I would hope that the members of the House would accept section 2 as it is presently written, knowing that under The Industrial Safety Act and The Construction Safety Act the worker is specifically precluded from functioning in an area in which he is going to harm a fellow worker.

Mr. Mackenzie: Why not extend it?

Hon. B. Stephenson: In The Mining Act, we will look after this section when the Barrett committee report is received so that we can include it in the omnibus legislation.

Mr. Mackenzie: You give no reason for not doing it now.

Hon. B. Stephenson: I don't know what their recommendation is.

Mr. Sweeney: Mr. Chairman, through you to the minister; I noted that the section referred to does cover what I'm concerned about. I also noticed that immediately following is the word "new," which implies this is something which has been very recently introduced.

Hon. B. Stephenson: In 1973.

Mr. Sweeney: I am thinking in terms of recent referring to the printing of this Act. It wasn't something that's been in for a long time; it's a new amendment.

At that particular point in time your ministry—for which you were not responsible at that time—surely the ministry as it existed felt that that had to be put in? There was some new way of viewing the situation if that kind of wording needed to be put in. If that were the case, and I understand from what you said it's also in The Industrial Safety Act, although I don't know where, how can you feel that it should be in here too? It seems to be inconsistent. I hope I'm not repeating the situation but I think it needs to be done.

[12:45]

Hon. B. Stephenson: Mr. Chairman, it was felt that because it was included already in The Construction Safety Act—and that Act still applies in spite of this, as you very well know—the responsibilities of employers and employees in construction safety and industrial safety are not in anyway diluted by the passage of this Act. All we're doing really is strengthening certain areas, particularly the right of the employee to refuse without concern for loss of his job or loss of his status within his place of employment.

My specific concern about including it here means that it would apply really only to those people who come under The Mining Act, and what I'm trying to tell you is that the employers and the employees in the area of mine safety have been involved for nine months now in a very careful deliberation of all the necessary modifications to The Mine Safety Act which should be included in a revision of that Act, which of course will now be indeed the omnibus health and safety legislation.

I would like to have the benefit of the deliberations which that very-well-informed committee has been carrying out before we expand anything further for mine safety at this point. Giving the individual worker the responsibility and the right to refuse, it seems to me, is an important and initial first step for mine safety. We don't have to worry about the other areas because indeed it's already there. I do think we should hear what the Barrett committee has to say in order to include its deliberations as the expanded section in the omnibus health and safety Act.

Mr. Laughren: Mr. Chairman, if I could respond. On the basis of the very arguments that the minister uses, I would ask that other members in the chamber think about this matter for a moment. Right now, under The

Construction Safety Act and Industrial Safety Act, all those workers are covered. They can refuse to work if working will endanger another employee. Workers in the mines, where we've had probably the most problems in the province of Ontario, are not covered.

For the minister to stand in her place and say that the Barrett committee is now studying The Mining Act and may very well bring in that recommendation is—and I'll choose my words carefully here—if all that is meant to imply that that means the legislation will be changed, you know full well that the Barrett committee will merely make recommendations to the ministry. The Barrett committee is not writing legislation. They are a joint committee of management and labour studying The Mining Act. They will make recommendations for revisions of The Mining Act. There is nothing in their mandate that says they can change legislation, and for us to leave the miners of Ontario out from under the protection that other workers already enjoy is totally unacceptable to us.

Mr. Sweeney: Madam Minister, I understood one of the main thrusts of this new legislation, and one which we strongly support, is to begin to draw together a lot of loose ends. Somewhere in the legislation it says certain sections of The Mining Act and certain sections from the Ministry of Health are now going to come under your ministry. We applaud that. In that spirit, can we not also say that if The Construction Safety Act protects a group of workers in a way, The Industrial Safety Act protects another group of workers in a way in which we're discussing here, that in the spirit of this new legislation, we should not also protect the people in the mining industry in the same way?

I fail to see how we can argue not to do that. If we believe it is important here and it's important there, and we're trying to consolidate, trying to pull together, how can we justify leaving out one group?

Hon. B. Stephenson: We are not leaving one group out.

Mr. Sweeney: I'm sorry, Mr. Chairman, it seems to go against the very spirit of the legislation. That's what I'm trying to argue for. If I'm misunderstanding it, I would appreciate your understanding.

Hon. B. Stephenson: Mr. Chairman, I didn't think we were leaving one group out at all. I am not sure about the content of part IX of The Mining Act. I do not know whether that kind of section is in that Act or not. I would have to ask those who are expert. That is

why I have been hopefully awaiting the report of the Barrett committee because I felt they were the experts in this field who could give us the kind of information which was necessary.

I must tell you I have less concern with that specific phrase, "may cause a hazard for another employee," except for the word "hazard", than I have about the section that has been added later on, which at this time is one which we cannot really include in this Act. If it is indeed felt strongly that we must include for the workers in mines a phrase similar to that which is within The Construction Safety Act which makes the workman responsible—in fact, he can be charged if he conducts himself in such a way that he is likely to endanger another person or himself—then I would be very willing to add that kind of section.

I am not sure the wording of this amendment as presently before us accomplishes that in the same way that it does within The Industrial Safety Act.

Mr. Germa: Why do you hate miners?

Mr. Laughren: Question.

Mr. Chairman: There seems to be no more discussion on it. I hesitate to put the question unless the House wants to divide. If I put the question and the House divides, it means you have to resolve it.

[1:00]

There seems to be some agreement and a wish by the committee that clause (i) of Mr. Laughren's amendment to section 1 be put by the Chair separately from the main amendment. With that consensus, I will do so now.

Mr. Laughren moved that section 1 be amended by adding thereto the following clause: "(i) 'Health and safety representative' means health and safety representative selected by employees he represents."

Motion agreed to.

The committee divided on Mr. Laughren's further amendment to section 1, which was negatived on the following vote:

Ayes 20; nays 46.

Section 1, as amended, agreed to.

Mr. Chairman: Before I put Mr. Laughren's amendment to section 2, I understand there is some consensus that if the amendment is defeated, it won't carry this section because I understand the minister is prepared to bring in an amendment to section 2. Normally, if I put the amendment and the amendment is lost, it carries this section. Do I have general agreement from the committee?

Some hon. members: Agreed.

Mr. Chairman: It is agreed.

The committee divided on Mr. Laughren's amendment to section 2, which was negatived on the same vote.

Mr. Chairman: It is understood that the section does not carry.

On motion by Hon. Mr. Welch, the committee of the whole House reported progress.

Hon. Mr. Welch: Mr. Speaker, before moving the adjournment of the House, may I indicate that on Monday we will be back in committee of the whole House to continue our consideration of this and other legislation in committee. There will of course, be the private members' hour on Monday afternoon between 5 and 6. For the information of members in organizing their time next week, the House will sit Monday evening, Tuesday evening and Thursday evening next week. So we'll have three evenings next week, rather than the usual two.

On motion by Hon. Mr. Welch, the House adjourned at 1:08 p.m.

APPENDIX

(See page 5599)

Answers to questions taken as notice were tabled as follows:

127. Mr. Wildman—Inquiry of the ministry: Would the Minister of Transportation and Communications explain: 1. The nature of the work being carried on by the Urban Transportation Development Corporation for the Swiss government? 2. The length of time the UTDC has been working on the project and its probable duration?

Answer by the Minister of Transportation and Communications (Mr. Snow):

There is no work being carried on by the Urban Transportation Development Corporation for the Swiss government. At the present time, a production and design contract exists (for the Canadian light rail vehicle design and the manufacture of parts for 10 prototypes) with the Swiss Industrial Company, a company with long experience in light rail transit. The contract was entered into in August, 1975 and will end December 31, 1977.

128. Mr. Wildman—Inquiry of the ministry: Would the Minister of Transportation and Communications supply: 1. The number of people employed by the Urban Transportation Development Corporation who travel on a regular basis from Toronto to Switzerland and back? 2. The number of non-stop flights and flights which entail stop-overs taken by these people in travelling to and from Switzerland? 3. The names of the air carriers used in these flights?

Answer by the Minister of Transportation and Communications:

UTDC have approximately six regular travellers between Toronto and Switzerland. As of mid-April, approximately 90 per cent of all flights are non-stop. The air carriers used for flights are Air Canada and Swissair.

129. Mr. Wildman—Inquiry of the ministry: Would the Minister of Transportation and Communications supply: 1. The names of the carriers transporting air freight to Switzerland for the Urban Transportation Development Corporation? 2. The proportion of total freight shipped to Switzerland by the UTDC which is carried by air freight? 3. The cost of transporting air freight to Switzerland for the UTDC.

Answer by the Minister of Transportation and Communications:

UTDC uses Swissair for its air freight for the following reasons:

All of the freight sent from UTDC to Switzerland is directed to our contractor on the light rail vehicle, the Swiss Industrial Company. This company has regular pick-up arrangements with Swissair which provides better delivery service; hence, UTDC uses Swissair for freight shipments.

Freight to date has amounted to approximately \$7,000, all of which has been sent by Swissair.

130. Mr. Wildman—Inquiry of the ministry: Would the ministry explain whether or not employees of the Ontario government and Crown corporations are required to use Canadian air carriers whenever and wherever possible rather than competing foreign carriers?

Answer by the Chairman, Management Board of Cabinet (Mr. Auld):

There is no specific policy requiring employees of the government and Crown corporations to use Canadian air carriers since the vast majority of air travel takes place within Ontario on routes where there are no competing foreign carriers. In all cases where Canadian firms are providing a comparative service, the policy on Canadian preference would apply. This requires that Canadian suppliers of goods and services receive preference over foreign suppliers and further provides that a price preference of up to 10 per cent may be allowed in respect of the Canadian content of goods and services.

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Third Session of the 30th Parliament

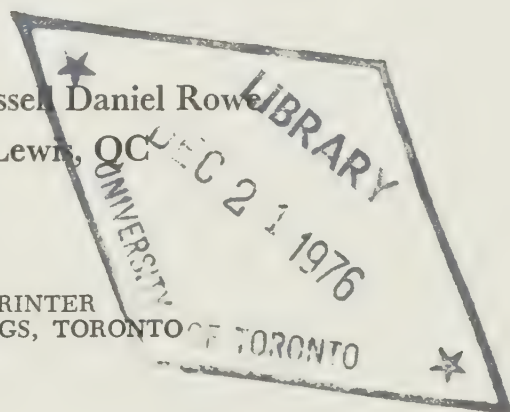
Monday, December 13, 1976

Afternoon Session

Speaker: Honourable Russell Daniel Row

Clerk: Roderick Lewis

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LEGISLATURE OF ONTARIO

MONDAY, DECEMBER 13, 1976

The House met at 2 p.m.

Prayers.

POINT OF PRIVILEGE

Mr. Germa: I rise on a point of privilege, Mr. Speaker. Despite the issuance of your warrant on Thursday last, it is my feeling that the rights and privileges of every member of this Legislature have been very seriously eroded in that the interim injunction was granted to the Ontario Medical Association in an effort to restrain the Ministry of Health and the general manager of OHIP from supplying the public accounts committee with certain information it had requested.

I bring this to your attention so that you might contemplate what your office can do to grant the power that a Speaker's warrant should have, and which we presumed it did have, to protect the rights and privileges of the entire Legislature in seeking and having information which is required in order to do its job.

Mr. Renwick: If I may comment on the same point of privilege: In view of the imminent prorogation of the session of the assembly and therefore the disruption of its work caused by the granting of that interim injunction this morning, would you take into account what steps it is possible for this assembly to take in order that its work will be completed by the time at which the prorogation is scheduled to take place?

Mr. Nixon: Mr. Speaker, before you respond to the point of privilege, it might be worthwhile if the chief law officer of the Crown, the Attorney General, would be prepared to give his views to the House in this connection. Since we have a Speaker's warrant for the production of this information balanced at the present time by an interim injunction of the court of appeal, it might well be that the only quick course of action would be for this House to pass legislation making that information readily available to the public accounts committee before prorogation, perhaps later this week.

I think perhaps the Attorney General might give us the benefit of his views in connection with the problem that faces us all and particularly you, Mr. Speaker.

Mr. Speaker: Are there any comments from the Attorney General?

Hon. Mr. McMurtry: Yes, Mr. Speaker. I share the concern that has been expressed by the members of the Legislature in relation to the Speaker's warrant that has been issued. The matter is presently before the courts, of course, as has been stated, and the court of appeal has indicated its intention to hear the matter on Wednesday afternoon.

As I understand it, the argument put forward by the Ontario Medical Association is firstly—in very general terms—that there is a conflict between The Legislative Assembly Act and The Health Insurance Act. In our view there is no such conflict.

Secondly, even if there were conflict, it's my respectful view that The Legislative Assembly Act would prevail.

Thirdly, it is open to this House, I think, to pass legislation to clarify the matter if that is the wisdom of the House. In many respects, I can say, as the senior officer of the Crown I'm very much in the hands of the House as a whole, because I think this is a matter which should be of considerable concern to each and every member of the legislative assembly.

With respect to the standing committee, I suppose—I certainly am not an authority in this area—it may be that the House could create it as a select committee so that its work can continue after the House prorogues at the end of the week, if that's what's going to happen. I think at this time, pending the decision of the court of appeal, that taking any specific action this afternoon might be premature because we are confident that the court of appeal will, in effect, adopt the position put forward by counsel representing the Ministry of the Attorney General—namely, that the Speaker's warrant is valid and that the documents should be produced.

Mr. Speaker: I thank all the hon. members for their comments. It is rather a new turn of events. The warrant was issued on Thurs-

day. On Friday there was an application for an injunction, as I understand it, which was denied and now that decision of that judge is being appealed. I presume that is in order, and it's on Wednesday, I understand, that they make the final decision.

I shall seek further advice but at the moment it seems that unless the members decide to introduce legislation—maybe that's the answer; maybe it isn't but we'll have to take it under advisement.

Statements by the ministry.

UNIFIED FAMILY COURT

Hon. Mr. McMurtry: Mr. Speaker, I have previously mentioned that the federal Minister of Justice and I have agreed on the establishment of a unified family court project in the city of Hamilton for a period of three years beginning in 1977. Later on this afternoon I will be introducing The Unified Family Court Act. This bill will establish the new unified family court in Hamilton and endow it with comprehensive family law jurisdiction.

The unified family court results from a provincial initiative taken some time ago which also involved a series of negotiations with the federal government. The negotiations with the federal government have been long and protracted because of the rather difficult jurisdictional and constitutional issues involved in any major restructuring of the courts.

We initially asked the federal government to amend The Divorce Act so that divorce jurisdiction could be conferred upon judges of our provincial court, family division. The federal government refused to adopt that approach and we therefore then discussed the approach of dual appointment whereby a federal appointment as a county judge would be conferred upon a judge of our existing family court so that the judge would hold a dual appointment—one from the federal government and one from Ontario.

Although there are precedents for dual appointments, the federal government again refused to adopt the approach we suggested. In order to cut through the legalistic red tape involved in the appointment issue, I met personally with the federal Minister of Justice and reached an agreement with respect to the appointment of unified family court judges. The judges will be selected by the federal government from the existing judges of our provincial court, family division. The judges will resign from the provincial family

court bench before receiving their appointments from the federal government.

The Unified Family Court Act will confer upon the federally-appointed judge all the jurisdiction of the judges of our family courts. Thus the federal objection to dual appointments will be overcome and the judges of the court will exercise the fullest possible jurisdiction from each source of appointment. The selection of the three individual judges will be a matter for the federal government under the normal system of appointing county judges.

Under the agreement with the federal government there is no dual appointment and the choice of the three members of the court rests entirely with the federal government according to the normal procedure for appointing county court judges, upon the understanding, I stress, that they will be chosen from among the judges of our present provincial court. We have agreed to the approach on the clear understanding that we are not compromising our original position with respect to provincial appointments when the day comes for considering a province-wide expansion of the court.

I cannot leave the topic of the federal-provincial understanding without expressing my gratitude to the federal Minister of Justice for his co-operative and practical approach to this whole issue. The development of this unified family court project is a good example of the kind of positive co-operation that is possible when a provincial and federal minister both are prepared to cut through legalistic red tape in order to achieve court reform.

In the result, we will have united in one person the authority to exercise the jurisdiction of the provincial, county and Supreme Courts in family law matters. For the first time it will be possible for one judge in one court to deal with all of the issues in a family law dispute, whether they be questions of property, support or custody of children.

The court will have jurisdiction to try divorce and nullity cases, applications relating to property, support and the matrimonial home under the new Family Law Reform Act, proceedings for protection, adoption, custody and guardianship of children and charges against minors under The Juvenile Delinquents Act. It will also be able to try cases within the jurisdiction of a magistrate under the Criminal Code so that charges such as assault of a spouse and failing to provide necessities of life to family members

can be tried either in this court or in the regular criminal courts, depending on the circumstances.

The statute is designed to establish a new court for a period of three years and will be effective only in the judicial district of Hamilton-Wentworth. Nevertheless, if the project proves itself a success, as I am confident it will, it will be a relatively simple matter to amend the statute so as to make it applicable across the province.

This bill is an important step forward in the rationalization of the court system as it relates to family disputes. We believe the answer to the problem of fragmentation of jurisdiction is the unification of that jurisdiction in a court operating functionally at the level of the provincial court, and that is what we have attempted to do in this statute.

The provincial court, family division, is generally recognized as being the court which most people think of when they think of a family court. It is the court which is most accessible to members of the general public and it is the court whose informality of procedures and ready accessibility to support services are most appropriate to the resolution of family disputes.

I sincerely hope that as the project proceeds the federal government will become convinced of the correctness of our approach and that we will have its co-operation in extending some form of the unified family court at the end of the demonstration project to the other judicial districts of the province at the level of the provincial court, family division.

[2:15]

Mr. Speaker: Oral questions.

LUNG CANCER COMPENSATION CLAIMS

Mr. Deans: I have a question of the Minister of Labour: Given that there is now mounting and somewhat frightening evidence of a link between workers in coke ovens and cancer, will the minister take on the responsibility, that previously appears to have been shunted off to the unions and to private individuals, to seek out those people who have been employed in coke ovens and to find out the relationship between their deaths or their suffering—for those who may still be alive—and the employment they previously had; and direct the Workmen's Compensation Board to act swiftly to compensate them for the losses they are suffering?

Hon. B. Stephenson: Mr. Speaker, there has been a major study done by two qualified researchers, Dr. Redmond and Dr. Lloyd in the United States and in Great Britain, involving 25,000 steel workers, of whom approximately 4,000 worked in relationship to the coke ovens. There have been certain epidemiological factors established as a result of this study and those factors are very well known to the Workmen's Compensation Board. Indeed, they are the factors upon which the board makes its decisions on applications for pensions or for compensation related to the development of carcinoma in coke oven workers.

I was interested, if I might say, to see an article in the Globe and Mail on December 11 which cited an investigation by the United Steelworkers of America. I should be very pleased if a copy of that study carried out by the United Steelworkers of America were delivered to me so that I might peruse the findings which they have apparently established, as related in this newspaper article.

The establishment of nominal rolls related to coke oven work has begun. It was begun in several—at least, two—of the unionized plants in this country several years ago and I think it will be of great value to the Workmen's Compensation Board in the investigation of claims.

Mr. Davidson: Will the ministry take over the role of finding the people?

Mr. Deans: A supplementary question. Notwithstanding the work done by the United Steelworkers of America and the cases they have uncovered, will the minister and her ministry undertake to conduct a proper study, employing physicians who are known to have expertise in the field, to determine whether or not there is a definite link between lung cancer and work in the coke ovens? Will she look at those particular people, those particular cases found by the United Steelworkers of America, and will she then move toward establishing an overall finding operation which will locate the people who have been in the plants and determine whether or not they are suffering or dying as a result of inadequate levels of safety in the plants over the years?

Hon. B. Stephenson: As the hon. member for Wentworth knows very well, the United Steelworkers of America have complimented several of our Ontario plants on the level of improvements in those plants. Some of the situations which occurred which were detrimental to workers' health were a very long time ago. Listing workers' names related to exposure to coke ovens is something which I

know at least two of the plants have been carrying out during the last several years.

Mr. Deans: Why is the ministry not doing it?

Hon. B. Stephenson: At the moment we do not have any of the names, which the United Steelworkers have apparently developed into a list which I should be very pleased to examine.

Mr. Warner: They are doing your work for you.

Hon. B. Stephenson: I should be very pleased to look at the relationship in their exposure to the coke ovens. As I said earlier, the relationship between exposure and the development of carcinoma has already been established. Specifically, there isn't any question about that.

If there is a unique problem related to the Hamco plant in Hamilton, this will undoubtedly come out as a result of the kinds of information which the United Steelworkers are producing and we shall most certainly investigate that. One of the high priorities of the Advisory Council on Occupational and Environmental Health is the coke oven emission problem. That is most certainly one of our priorities as well, and it is one which we shall pursue with vigour.

Mr. S. Smith: Supplementary: Would the minister not agree that, rather than waiting for fortuitous information to come our way, as happened with the coke ovens, and rather than waiting for the United States to provide some experience, there should be a massive infusion of funds here in this province for case finding, and tracking down people who have been in various questionable working environments, or even living near plants, such as NIOSH does in the United States?

As the most highly industrialized province, would it not be in our own interest to put a massive investment into that form of research in Ontario?

Hon. B. Stephenson: I would hope our attempts would be a good deal more successful than the NIOSH attempts have been.

Mr. Deans: You are not making any attempts yet.

Hon. B. Stephenson: There is no doubt that the development of nominal rolls for coke oven workers is an important activity which, as I said, has already begun. We shall be very pleased, and we'll most certainly pursue this problem with as much vigour as it is possible to muster.

Mr. Mackenzie: Supplementary: Given the 13 claims now before the board as of today for deaths from lung cancer at the Hamco plant and at least a dozen others the Steelworkers are now checking out and running around getting affidavits from fellow workers and so on—something the board obviously was aware of—would the minister not undertake a tracing of all of the workers that worked at the Hamco operation at least to see what pattern exists and how terrible the situation is?

Hon. B. Stephenson: From the newspaper report it would appear there is a terrible situation, as the member for Hamilton East has outlined. If in fact there is a different situation which prevailed at that plant from all of the others which have been studied carefully by experts in other areas, then we must pursue that problem as well. The development of nominal rolls again is something which it is important to do. The member is telling me that 13 submissions have been made to the board. I am informed that the board has thus far received one. I will be very pleased to examine all of these submissions as soon as they are received. Then I shall be pleased to tell this House precisely what detailed activity we are prepared to carry out.

Mr. Mackenzie: If one can again say to the minister, with regard to this plant, there is an obvious case. We have some of the names. Tracing them down is difficult. It could very well set a pattern for the other older coke oven operations—

Mr. Speaker: Is there a question?

Mr. Mackenzie: —if we do not follow through with these workers.

Hon. B. Stephenson: As I said earlier, one would anticipate that the results, which were unfortunately pursuant to work within the Hamco plant, would be very much the same as in other coke oven establishments throughout various years in other jurisdictions. The statistics which are allegedly stated in this article in the newspaper bear very little relationship to the kinds of epidemiological statistics which have been validly established by other studies. If there is a unique problem related to this plant, we shall pursue it, there is no doubt about that at all. We shall attempt to produce nominal rolls of workers in steel plants.

Mr. Davidson: By the time you get around to it they will all be dead.

Hon. B. Stephenson: One of the things I must say is that, unfortunately, there is a statement in this article which I find very disturbing. It says that in four of all of these cases listed there is absolute verification from physicians. That's four out of 22. I would hope that we would have much more solid, factual information upon which to base any kind of claim than we apparently have at the moment.

Mr. Deans: Why don't you go and look for it?

Mr. Warner: Go find it.

Mr. Davidson: It is your job to find it.

Mr. Laughren: Would the minister not agree that when there is an increased incidence of industrially-related disease in any given work place that's statistically significant, all such workers should be considered compensable for that particular disease?

Hon. B. Stephenson: No. As I have said on at least two or three occasions in this House, there must be some valid, scientific, evidential support for making any kind of compensation or pension payment to workers who have been exposed. It is quite possible that a worker who worked in a coke oven for six months will never develop any kind of problem.

Mr. Davidson: The worker gets the benefit of the doubt does he?

Hon. B. Stephenson: It depends on the length of time the worker is exposed and the place within the coke oven area in which he is employed. There are a number of important epidemiological studies which support that kind of statement, and I would hope that any agency of this government or any other government would act totally responsibly in allowing claims for compensation and pensions in this difficult kind of area.

Mr. Speaker: Any further questions? The member for Wentworth.

Mr. Deans: Yes, thank you. I have another related question for the minister. Since she seems to rely on the unions to do her work for her, who is going to conduct—

Mr. Yakabuski: Question, question, Mr. Speaker.

Mr. Speaker: Order, please. Proceed with the question.

Mr. Deans: I thought that member was taking a sabbatical.

Who is going to inquire into the conditions of those people who worked in the coke ovens in plants that are not unionized, Dofasco being an example? Who is going to conduct those studies of former employees, and employees who are still there, to determine effects on them as a result of the employment they have had?

Hon. B. Stephenson: Mr. Speaker, it is perfectly obvious that the unions of this country are not doing the work of the Workmen's Compensation Boards, nor of the—

Mr. S. Smith: Nobody is.

Mr. Deans: It's true.

Hon. B. Stephenson: —nor of the Ministries of Labour or of our occupational health protection branch.

Interjections.

Mr. Speaker: Order, please.

Hon. B. Stephenson: That was indeed a poor statement, to say the least. However, in the situation specifically mentioned by the hon. member for Wentworth, there are records being kept at this time by those plants which are not unionized, related to previous experience or previous exposure to coke ovens of the people employed in those plants. That kind of information is now available and is going to be more freely available to us.

But it has to be recognized that in the past the relationship between carcinogens within coke oven smoke and emissions, and the development of any kind of carcinoma was not clearly seen, it was not visible to many of the examiners, and therefore the kinds of work-related records were not kept. We are aware of the problems and those kinds of records are now being kept. It will be very much easier, in the future, to develop the kinds of links which are necessary to make rational judgements.

Mr. Deans: Supplementary question: Is the minister requiring those companies which are non-unionized, or for that matter companies which have coke oven operations, is the minister requiring them to provide the Ministry of Labour and the Workmen's Compensation Board with lists of all of the persons who have been employed in those operations over the last 30 years?

Hon. B. Stephenson: At the present time, Mr. Speaker?

Mr. Deans: At the present time, yes.

Hon. B. Stephenson: We are not—

Mr. Deans: Why?

Hon. B. Stephenson: We are not requiring all of the companies in which there are potential carcinogens to keep lists of all of their employees and their previous employment at this time. This is a programme which we are examining very carefully, and hopefully we shall be able to produce some kind of sensible approach to the development of nominal lists for all toxic substances.

Mr. Deans: Supplementary: Can the minister explain to me why she wouldn't then go back into historical records and find the names of those who have been employed, and use them as the example in terms of whether or not there has been any disease contracted by virtue of having been employed in those coke ovens? Surely the ministry is not going to wait another 30 years and study the pattern of those who work there?

Hon. B. Stephenson: Mr. Speaker, that's precisely what I did not say. What I said was that we are keeping lists at this time.

Mr. Deans: That's precisely what the minister didn't say and precisely what she meant.

Hon. B. Stephenson: If it is possible to provide the information, or to obtain the information, about the exposure, the length of exposure, the kinds of plants in which they work, that is precisely what we shall attempt to get.

Mr. Mackenzie: Supplementary?

Mr. Speaker: We will allow one supplementary. We have had 14 minutes on the question now. The hon. member for Hamilton East.

Mr. Mackenzie: In trying to trace these workers, is the minister prepared to check whether a similar gas-producing operation existed at Consumers' Gas or any other municipal gas works?

Hon. B. Stephenson: Yes.

HYDRO RATES

Mr. Deans: I have a question of the Minister of Energy: Given that the minister said on November 25 of this year that the government had not yet decided whether it would intervene in the process of the establishment of the rates for Ontario Hydro in the years 1977 and on, and given that Hydro have now indicated that they have raised their rates

without any government action; is it not a function of cabinet and the government to review Hydro's application for rate increases and to review the recommendations of the Energy Board, and to come to some decision about what the public can reasonably afford? Has the minister given any further consideration to the prospect that Hydro might adopt a smoothing operation to ensure that the increase to be imposed on the public of Ontario is not as overbearing as it now is?

[2:30]

Hon. Mr. Timbrell: As the hon. member well knows the process of setting of Hydro rates involves public hearings at the Energy Board; and following the completion of the Energy Board hearings and the filing of a report by the Energy Board, a decision by the Ontario Hydro board. The government has had under consideration for some time the suggestion that we should somehow intervene and direct that some form of smoothing, as it is called, be carried out. Looking at the implications of that and looking at what a number of the utilities to date have indicated they can do with the proposed bulk power rate increase, the government has decided not to intervene in the process.

Mr. Deans: Supplementary: Am I to assume that the minister believes that the 20-plus per cent that will be passed on by the utilities to their customers across the province is within the reasonable scope of what the public of Ontario can afford at this time, given that the minister could quite easily alleviate it and still not overburden them in years to come?

Hon. Mr. Timbrell: I think we have gone through this a number of times before in the chamber, in question periods and in debate. Given the implications of a rate-smoothing process in terms of additional borrowings required, in terms of the effect on the financial integrity of Hydro and what that could imply in terms of borrowing costs; given the implications for rates not that far down the road, that in fact a smoothing process would result in higher rates in a couple of years' time; given what the utilities are doing, as well as Ontario Hydro, in trimming their administrative costs to the bone and keeping expenditures to a minimum; the decision has been that it would not be in the best interests of the people of this province to carry out the kind of policy which the member's party has put forward. We think that would be irresponsible.

Mr. Speaker: Supplementary; the member for Windsor-Walkerville first of all.

Mr. B. Newman: Is the Minister of Energy considering an energy supplement to those on limited fixed incomes, and senior citizens, to alleviate the abnormal increases in energy costs to them?

Mr. Speaker: Order, please. The original question had to do with phasing-in of the increase in Hydro rates. This is an alternative suggestion which is really not part of the question.

Mr. B. Newman: Well, that is part of phasing-in.

Mr. Speaker: If the minister has a short answer we will let him give it.

Hon. Mr. Timbrell: As the hon. member knows the benefits provided by the government—not just benefits for the elderly but for all ages and groups of people—are reviewed from time to time and energy costs, like all living costs, are considered in those calculations and in determining new levels of support.

Mr. Deans: From time to time two years later.

Mr. MacDonald: Supplementary: May I ask the minister, why the secrecy? If on November 25 he indicated that the government hadn't decided whether it was going to intervene, and today we smoke out the fact that it has been decided the government is not going to intervene, when did he decide that the government wasn't going to intervene, and why didn't he inform the world?

Hon. Mr. Timbrell: The decision was taken only in recent days and there is no secrecy involved around it.

Mr. MacDonald: Remarkable that we should be hearing about it only now.

Interjections.

Mr. Speaker: Order please. A final supplementary; the member for Brant-Oxford-Norfolk.

Mr. Nixon: Yes. In connection with the minister's original answer and what he has just said, why is it that Ontario Hydro sent out an announcement just today informing rural users—that is direct customers of Ontario Hydro—that their increase would be in excess of 25 per cent when there is no public utilities commission to do any smoothing or assist them in any way? Would the minister not think that a part of his decision not to involve himself in the rate structure

at this time could have been amended to assist and in defence of those direct users who must buy the power from Ontario Hydro without any intervening commission to give them any assistance as far as smoothing or any other control of rates is concerned?

Hon. Mr. Timbrell: As the hon. member knows, that is a fair bit less than the bulk power rate increase to the 353 municipal utilities and to direct industrial customers.

Mr. Nixon: You think that 25 per cent isn't too bad?

Hon. Mr. Timbrell: In fact, in both cases Hydro is bound to abide within the spirit and intent of the anti-inflation programme and to apply the various applications, as the member knows.

Mr. Nixon: I know you have said that before.

Hon. Mr. Timbrell: Let him check with his friends in Ottawa and he will find out that I am correct.

Mr. Nixon: The minister has changed position on that and so has Hydro. He is not going to do anything for the farmer.

Mr. Speaker: Order please. Any further questions? We have now been 20 minutes on the first set of questions.

The member for Hamilton West.

SALE OF LIQUOR

Mr. S. Smith: I'd like to ask a question of the Minister of Consumer and Commercial Relations: Will the minister please provide the House with further information concerning the remarks made by his colleague, the Treasurer (Mr. McKeough), on CBC television news on Saturday, concerning the possibility of privatizing the sale of liquor in the province?

Hon. Mr. Handleman: I haven't seen the comments and I haven't had a chance to talk to the Treasurer. I'd be glad to talk to him and see what information can be provided to the House.

Mr. Nixon: Are you going to put it in the grocery stores?

Mr. S. Smith: By way of supplementary, can the minister explain how it is that the Treasurer would make a statement of this kind on television without even discussing

the matter with the minister involved? Is that what usually happens in the cabinet?

Mr. Moffatt: The Treasurer doesn't ask anybody.

Hon. Mr. Handleman: I don't know what the Treasurer said; I'll be discussing it with him, obviously.

BRUCE SAFETY REPORT

Mr. S. Smith: A question for the Minister of Energy—a brief question: Will the minister make public immediately all background documents exchanged between the Atomic Energy Control Board and Ontario Hydro regarding the Bruce reactor safety report?

Hon. Mr. Timbrell: I haven't seen all those documents myself. I understand that a number of them are the property of AECL, not of Ontario Hydro; and that, in fact, in a number of cases they involve having to have the permission of the AECL since they involve both security and proprietary rights. But I'll check into that and give the member a reply.

URANIUM PRICES

Mr. S. Smith: Another question—perhaps a brief one—of the Minister of Energy, on a different topic: Could he tell this House what Ontario Hydro is paying for uranium with regard to delivery from 1980 to 1985, and could he compare that price with the price being paid by Japanese interests for delivery at the same time from Denison and Rio Algom?

Hon. Mr. Timbrell: Again, I don't have those figures readily at hand. I'll check them and, at the same time, find out the quality of the ore and the length of the contract, because those two things do have a bearing.

MINING CLAIMS

Mr. S. Smith: A question for the Minister of Natural Resources regarding Lake Wanapitei: Does the minister still insist that he has agreement from the claim holder in that lake, which contains Sudbury's water supply—does he still claim that he has agreement from them not to go ahead and work on those claims, despite the fact that we spoke to Mr. Arena again today and he still denies having given the minister such an undertaking?

Hon. Mr. Kerr: Must have been when the bells were ringing.

Hon. Mr. Bernier: I did some more investigation on this particular matter and I did find that while the Hollinger people agreed to postpone and defer any drilling for at least a year until all the questions with regard to the environment were settled, Mr. Arena has not. In fact, he was to get back to us by December 3. My staff have continuously tried to reach him to finalize this agreement. A work order was issued and was cancelled. Mr. Arena has no work order at the present time. If he calls, he will be told there are 10 conditions that the Ministry of the Environment will set out in the work order; so Mr. Arena does not have a work order.

Mr. Nixon: But he had one.

Mr. S. Smith: It was issued last week.

Hon. Mr. Bernier: He had one for about two days and it was cancelled. The conditions will make sure that the water quality of Lake Wanapitei will be fully protected, and that the water supply will be guaranteed.

Mr. S. Smith: By way of supplementary, could the minister explain to us the legal means by which these claims will be held by the claim holder, even though work will not be done on the claim? Is he not aware that if work is not done on a claim, the claim is forfeited? And can he tell us what legal means he intends to use to keep those claims from being forfeited, or is he hoping that he will allow them to be forfeited in this manner and open himself up to lawsuits?

Hon. Mr. Bernier: The claims to which the hon. member refers have a specific period of time—on filing with the mining recorder and on being properly recorded—a specific period of time to do assessment work. The claim holder should apply for a work order, and in the work order he will be given the conditions with which he must comply.

Mr. Laughren: A supplementary: Has the minister asked the Atomic Energy Control Board to refuse to grant permission to anyone drilling in the vicinity of Lake Wanapitei to move any ore samples without the express permission of the Ministry of the Environment or the Ministry of Natural Resources?

Hon. Mr. Bernier: I think I indicated to the hon. member before that the Atomic

Energy Control Board does not have any jurisdiction when there is exploration going on. When there is mining actually going on and the ore comes to the surface is when the Atomic Energy Control Board comes into play.

Mr. Laughren: A further supplementary, Mr. Speaker.

Mr. Speaker: Directly related to that?

Mr. Laughren: It's in connection with that, yes.

Mr. Speaker: All right.

Mr. Laughren: Is the minister not aware that the Atomic Energy Control Board must grant permission to anyone who wishes to move any of the ore, even if it is in the form of an ore sample, which would be the result of drilling and exploration?

Hon. Mr. Bernier: As I pointed out just a moment ago, a work order has to be applied for, and the conditions will be on there. A sample of ore is not considered uranium ore per se—

Mr. Laughren: According to the control board it is.

Hon. Mr. Bernier: —and the Atomic Energy Control Board does come into play when an ore body is extracted and hits the surface of the ground.

Mr. Roy: Mr. Speaker, why did the minister tell my leader last week that he had consent or agreement from all claim owners, when apparently his ministry had not even been in touch with the individual mentioned today; or is it that the minister didn't even know? Why would he tell us that?

Interjections.

Mr. Speaker: Order, please.

Hon. Mr. Bernier: Mr. Speaker, that is not entirely correct, because my staff did meet with the Hollinger people, with Mr. Arena and his lawyers there.

Mr. Roy: You just said they hadn't been in touch.

Hon. Mr. Bernier: They were in touch. They were at a general meeting where Hollinger was present—

Hon. Mr. Kerr: It was out in the middle of the lake, through the hole.

Hon. Mr. Bernier: —and Hollinger agreed. Mr. Arena was to get back to my staff by

December 3, as I just pointed out to the hon. leader. We tried to get in touch with him; we have not and the work order which he had was cancelled. He must comply with Ministry of the Environment's requirements.

BROWNDALÉ OPERATIONS

Mr. S. Smith: Mr. Speaker, a brief question of the Minister of Health: If, as he tells us, he has no objections and his ministry has no objections to Browndale's profitability, no matter how much profit it wishes to make, can he explain to this House why he bothered to order an expensive audit of its financial dealings, if it didn't matter at all what it did with its money, or how much profit it made?

Hon. F. S. Miller: Mr. Speaker, the other day I answered the member by saying it was my understanding that they did not have to be a non-profit company. They are, that part we agree upon.

Mr. S. Smith: Why bother auditing them?

Hon. F. S. Miller: The question the member asked me was whether a company had to be non-profit in order to be qualified to provide services in the province. I said they didn't have to be. I sat down and quite honestly I wondered if I was correct. That does happen, you know, once in a while.

Mr. Peterson: Seriously?

Mr. S. Smith: That you sit down?

Mr. Nixon: And you were quite definite about wondering.

Hon. F. S. Miller: I have asked that question and to this point in time I haven't got an answer. No one on my staff can tell me whether they must be non-profit in order to qualify. But they are determining whether that in fact is a precondition of anybody providing service for children's mental health. If I am wrong, sir, I shall tell the member so.

Mr. McClellan: Would the minister not agree that if the requirement for non-profitability is not in existence, it should be?

Hon. F. S. Miller: The member's thoughts and mine are not the same on that matter. I don't believe non-profit means low cost.

Mr. Yakabuski: Mr. Speaker, the Browndale matter has been a question that has come up in the House very often, and supplementary to what the leader of the Liberal Party has asked, I am interested too.

Some hon. members: Question.

Mr. Yakabuski: I am wondering if the expensive audit we are talking about—

Interjections.

Mr. Speaker: Order, please. Is this in the form of a question?

Mr. Yakabuski: —will tell us who the directors of Browndale were from the days it came into being, and if any of those directors were sitting members of the Legislature and had a conflict of interest?

Hon. F. S. Miller: I was just counting, Mr. Speaker. The period of the audit didn't go far enough back to answer the questions the hon. member has proposed.

HAMILTON GROUP HOMES

Mr. S. Smith: This will be, I hope, a brief question of the Provincial Secretary for Social Development. Has she had an opportunity to study the excellent brief presented by the Social Planning and Research Council of Hamilton and District regarding group homes? If so, would she agree with the contention in it that there's a great deal of overlapping clientele in the group homes operated by the various ministries—by Health, by ComSoc and by Correctional Services?

Hon. Mrs. Birch: Through you, Mr. Speaker, to the hon. leader of the Liberal Party, yes, I have read that brief; I've also met with the people who presented that brief. Yes, I do agree there's a great deal of overlapping and duplication of services. We intend to have a very close look at them.

[2:45]

Mr. S. Smith: A supplementary: I appreciate the minister's answer; would the minister agree that some of this overlapping is detailed in the interministerial committee report which we have been asking for since February of this year, and which she has not released? Would she agree that if such overlapping is the case, then the people of Ontario are spending approximately \$65 a day for children to be taken care of in health facilities, and about \$32 in ComSoc facilities and we're probably overspending in Health, and possibly underspending in ComSoc? Would she not agree that report might indicate that the group homes under the Ministry of Health are a very expensive rip-off in Ontario today?

Hon. Mrs. Birch: I'm not prepared to make that comment at this time, but I can assure the hon. member we are studying the whole issue of residential services for children very carefully.

LUNG CANCER COMPENSATION CLAIMS

Mr. Mackenzie: I am wondering if the Minister of Labour can tell this House whether or not she feels that the Workmen's Compensation Board has an obligation to assist in initiating claims or in gathering affidavits of medical records necessary in a tragedy such as the Hamco case?

Hon. B. Stephenson: The first thing I would say is that I am not in possession of factual information which would make me believe the Hamco case is a tragedy. I do not know at this time what the situation is because factual information is not presently at hand.

Mr. Swart: It is your initiative to get it.

Hon. B. Stephenson: I believe the Workmen's Compensation Board has been doing a valiant job in attempting to resolve some of the problems related to the relevance of permitting compensation and pensions for certain diseases which have never ever before been compensated for. I think that is the primary role of the board. There are other agencies which might in fact be more appropriate for the investigation of the potential problems in certain work situations than the Workmen's Compensation Board. If those other agencies cannot do it, if it is impossible to have another agency capable of providing that kind of information, then I would think by default the board might have to do it. I would think their primary responsibility is to establish the relevance of claims.

Mr. Mackenzie: Given the information that has been dug up by the Steelworkers' Union in the Hamco case, what ministry or what government department would the minister recommend we ask for assistance in chasing down the names of the people and gathering the records that we've been pulling together? Or is it going to be left entirely up to the union?

Hon. B. Stephenson: I would hope that the hon. member would know very well that he should ask the Ministry of Labour for that kind of assistance.

An hon. member: He already has.

Hon. B. Stephenson: He has not.

APPOINTMENT OF QCs

Mr. Peterson: Has the Attorney General received a letter from Mr. Allan Mintz, barrister at law in this city, applying for a QC for this year?

Hon. Mr. McMurtry: Yes.

Mr. Peterson: Supplementary—

Mr. Speaker: Is this of urgent public importance?

Mr. Roy: To some lawyers it is.

Mr. Peterson: May I ask the minister what his response to Mr. Mintz is, and secondly, what basis and what criteria will he be using this year, over the new year, to award the QCs that he will be awarding in this particular year?

An hon. member: Listen to the member for Ottawa East (Mr. Roy).

Mr. Speaker: Order, please.

Hon. Mr. McMurtry: I can't recall my particular response to Mr. Mintz. I have received hundreds of applications. But I can assure the member opposite that the criterion will be, as it was last year, related to excellence in the practice of law.

Mr. Reid: And being a one-time Conservative.

Mr. Nixon: Supplementary: I wonder if the minister would consider taking the advice of the Law Reform Commission, and many other learned groups, and either abolish the QCs or have a list this year of those from whom the honour is removed?

Hon. Mr. Welch: Spoken as a non-lawyer.

Hon. Mr. McMurtry: The list will speak for itself.

Mr. Nixon: It always does.

Hon. Mr. McMurtry: I would like to say to the former leader of the Liberal Party that a good friend of his has applied and I think he might even be awarded a QC this year.

Mr. Nixon: As long as I don't recommend it.

Mr. Speaker: The Minister of Energy has the answer to a question asked previously.

HYDRO POWER REDUCTION

Hon. Mr. Timbrell: On Friday the hon. member for Niagara Falls (Mr. Kerrio) asked the Premier (Mr. Davis) if he would inquire of me if priority could be given by Ontario Hydro to industrial customers to avoid the loss of jobs during the current peak load demand.

I would point out to the member that only interruptible contracts have been cut and this is the purpose of this type of contract. Industrial companies which have interruptible contracts receive discounts on their power rates and in return for this discount agree, should it be necessary, that service will be cut for a specified maximum time, for a specified number of times per month and maximum hours per year.

I would point out that some customers have saved as much as \$25,000 per month on their hydro bills under this type of contract. While they were receiving these discounts many of them were never cut. Between 1972 and 1975 inclusive there were no cuts at all for class A customers. From 1972 to 1975, there was a total of only 32 cuts to different customers with class B interruptible contracts. The actual percentage of cuts made as a percentage of the permissible cuts under the contract was less than one per cent. I would refer the member to Vol. 9 of the costing and pricing study which was tabled in the Legislature recently and which gives all of these data.

This year, due to a combination of circumstances including cold weather, low water flows and some breakdown in the coal-fired station at Nanticoke, more cuts are necessary. However, the industrial customers with interruptible contracts know the risks they are taking. They willingly enter into the interruptible contract to make a major saving in power costs. Up to this year, their risk has been minimal and their saving has been significant. No one likes to have power shortages or layoffs of employees; however, companies with interruptible contracts know the risks they take and are expected to have contingency plans should it be necessary to have an interruption under their contracts.

I would point out that the system of interruptible contracts is under review as part of the costing and pricing study. As I mentioned previously, it is Vol. 9 of that study which I will refer to the Ontario Energy Board in January for public review. In that study there are recommendations for a revised system of interruptible contracts which will be of greater benefit to the industrial customer and to On-

tario Hydro as a tool for controlling peak loads.

Mr. Kerrio: A supplementary, through you to the Minister of Energy, Mr. Speaker: There was one part of my question that's gone unanswered. The great concern I had in posing the question was what can the minister do about industry foregoing expansion in Canada and going to the United States not only because of power cutbacks but power interruptions? That was the major part of my question—further jobs in the industrial sector throughout the Niagara Peninsula and many heavy power users.

Ms. Gigantes: Nationalize them.

Hon. Mr. Timbrell: As I indicated to the hon. member, last Thursday I believe it was in this chamber, I don't believe any prudent planner of an industry would base a decision to expand or not to expand on a difficulty which is confined to a few weeks in December, 1976. We have an unusual collision of circumstances—the low water levels in the north, the difficulties of the Nanticoke station and unduly low temperatures causing brand new record peaks. I don't think that will influence—

Mr. Ruston: They closed down the plant in Windsor.

Hon. Mr. Timbrell: —the future expansion plans of industry in this province.

MILK IMPORTS

Mr. MacDonald: A question of the Minister of Agriculture and Food: Since radio station CHLO in St. Thomas has confirmed that the Carnation plant in Aylmer is operating on a significant flow of milk supply from the Carnation plant in Alexandria, which in turn has bootlegged milk from the province of Quebec; and since the chairman of the OMMB has indicated a growing concern about this kind of practice in many plants across the province of Ontario, would the minister give us, instead of the erroneous information he gave us earlier, a picture as to what the practice is across the province, how prevalent it is and what he's going to do about it instead of passing the buck to Gene Whelan?

Interjections.

Mr. Speaker: Order.

Hon. W. Newman: Mr. Speaker, I would ask you to look at the way that question was worded to see if the hon. member might want to retract part of what he said today.

Mr. Nixon: What? He said the minister was erroneous.

Hon. W. Newman: But in answer to his question, he was talking about bootleg milk and interprovincial milk moving across interprovincial boundaries. It is not a provincial matter except that it concerns us and we have to draw it to the appropriate people's attention.

Mr. MacDonald: Would the minister answer my question?

Mr. Breagh: I think the Minister of Natural Resources wrote that.

Mr. MacDonald: How widespread is that practice?

Mr. Speaker: Order, please.

Hon. W. Newman: To our knowledge very little if any; we have looked into it.

As far as it concerns Carnation bringing milk to its various plants from other areas of the province of Ontario, there's nothing illegal about doing that in the province of Ontario.

Interjections.

Hon. W. Newman: If the hon. member wants specific details on it, we'd be glad to get them for him.

Mr. MacDonald: Supplementary: Since the minister claims this is a very small practice, in spite of the OMMB having said that it is widespread and his colleague from Stormont-Dundas-Glengarry (Mr. Villeneuve) giving him documented facts which deny the validity of his original statement in this House, will he table, from his own audit from the milk industry branch which audits the receipts of milk in each plant in this province, the receipts of milk and how much of it came from outside the province for the month of November?

Secondly, does he not think it is his responsibility to protect the interest of Ontario farmers, who are frozen into quota limits for sales, when an increasing proportion of the milk being processed by Ontario plants is coming from outside the province—or at least raise his voice about it?

Hon. W. Newman: Mr. Speaker, quite obviously the member for York South doesn't really understand the milk problems—

Mr. MacDonald: I understand.

Mr. Bain: You enlighten us, Bill.

Mr. Breithaupt: Don't raise your voice on the subject.

Hon. W. Newman: He doesn't understand. We're talking about—

Interjections.

Mr. Speaker: Order, please. The hon. minister has the floor to answer the question.

Hon. W. Newman: Mr. Speaker, under the industrial milk programme in the Dominion of Canada, the quota allocation is set up by the government of Canada and the Canadian Dairy Commission. Each province is allocated so many pounds of milk on a pro rata basis, and it was 95.4 million hundredweight for the current dairy year of 1976-77. They raised this to 99 million hundredweight, another four million hundredweight just recently, which gave the province of Ontario 128 million pounds of milk to—

Mr. MacDonald: It is all irrelevant.

Hon. W. Newman: —distribute to the producers in this province on a pro rata basis. Every province was treated equally under the national milk agreement on a pro rata basis, as long as the member understands that. If he doesn't, I'd be glad to explain it in more detail.

Mr. MacDonald: Mr. Speaker, on a point of order, may I ask you did the minister answer my question as to whether he'll give the information for the month of November?

Mr. Speaker: I didn't listen quite that closely.

Mr. MacDonald: Did you hear that?

An hon. member: No, he didn't.

Mr. MacDonald: Did he answer it? That was my question. Will he provide the receipts—

Mr. Speaker: Order please.

Hon. W. Newman: The member should make sure he does it right.

Mr. MacDonald: You are not going to provide it?

Hon. W. Newman: Just don't play games with the farmers of this province.

Mr. Speaker: We're getting into a debate here. The member for Renfrew North.

ARDA PROGRAMMES

Mr. Conway: Thank you, Mr. Speaker. A question to the same minister, the Minister

of Agriculture and Food, having to do with the ARDA winter works programme:

What, if any, remedial action is he preparing before the cabinet to alleviate the very drastic impact of the cutbacks in the forestry employment projects for the Renfrew county area; cutbacks which have reduced employment opportunities from roughly 90 last year to 27 jobs this year? What remedial action if any, is he proposing?

Hon. W. Newman: Mr. Speaker, under the total ARDA agreement each project that comes through first has to have approval. As members know, it's a joint programme, sponsored 50-50 on the financing by both the feds and the provincial government. Our agreement runs out March 1, 1977. I was in Ottawa last week talking about a continuation of our ARDA agreement. We have several ARDA programmes going on, and if the member would like any details on a specific ARDA programme we'd be glad to give them to him.

Mr. McClellan: They should go and see Paul.

Mr. Conway: Supplementary: I'm wondering why officials in the ministry informed me last week that, having regard to the federal restraints and having regard to the budgetary restraints provincially, a further \$73,000 was removed from the Algonquin district allocation because, "it was needed in more needy areas"?

Mr. Warner: Such as Renfrew South.

Mr. Conway: I wonder how the minister arrived at that and what remedial action he is prepared to provide, on the provincial side of this issue, to help those people in Renfrew county, who are certainly looking for those jobs that have disappeared? How is the minister going to respond to that?

Hon. W. Newman: Mr. Speaker, first and foremost, I think we are confusing two different programmes. The ARDA programme is a jointly-funded programme, and in many instances the individual owner or person who is in the programme pays a portion of the cost.

We have our northern assistance budget, which runs at about \$420,000 a year, which is distributed to the various districts in the province of Ontario and the farmers themselves decide how that money is distributed.

Mr. Conway: Am I to assume there is no further money coming?

Hon. W. Newman: No. The hon. member is not to assume anything.

[3:00]

TAX REBATES ON CONDOMINIUMS

Mr. Drea: A question to the Minister of Revenue: In the light of the minister's concerns and remarks on Friday concerning the rebates to condominium owners, would the minister consider submitting this controversial issue to the Kealey committee on condominiums so there may be a recommendation—

Mr. Roy: Stay away from that.

Mr. Drea: —for a fair and equitable solution of this problem?

Mr. Roy: Don't do anything, that's it.

Hon. Mr. Meen: Not only would I consider it but I did consider it when the Kealey committee was appointed. There is a representative on that committee from my ministry with the express purpose of advising the committee on the matter of assessments of condominiums. I am certain they will be looking at this particular matter when they are looking at all the other problems concerning condominiums.

Mr. Moffatt: Did the minister write the question?

Mr. Bullbrook: Great minds work alike.

Mr. Speaker: The time of the oral question period has expired.

Petitions.

Presenting reports.

REPORTS

Hon. Mr. Wells presented the annual report of the Education Relations Committee.

Mr. Breagh, on behalf of **Mr. Lawlor,** from the standing administration of justice committee, presented the committee's report which was read as follows and adopted:

Your committee recommends that the following bills be not reported:

Bill 140, An Act to reform the Law respecting Property Rights and Support Obligations between Married Persons and in other Family Relationships.

Bill 141, The Marriage Act, 1976.

Bill 85, An Act to reform the Law respecting Succession to the Estates of Deceased Persons.

Mr. Speaker: Motions.
Introduction of bills.

UNIFIED FAMILY COURT ACT

Hon. Mr. McMurtry moved first reading of Bill 189, An Act to establish the Unified Family Court.

Motion agreed to.

JUDICATURE AMENDMENT ACT

Hon. Mr. McMurtry moved first reading of Bill 190, An Act to amend The Judicature Act.

Motion agreed to.

Hon. Mr. McMurtry: This amendment, as is evident from the bill, is to increase the complement of the High Court of Justice for Ontario from 36 to 37. This is by reason of the appointment of Mr. Justice Patrick Hartt to the chairmanship of the environmental study that was announced by the Premier on Friday. In view of the fact that it is estimated Mr. Justice Hartt may be absent from his duties for upwards of two years or more, the Chief Justice of the High Court made the request that it would be necessary, in view of the very heavy list and the onerous responsibilities related to that court, that there be an appointment to replace Mr. Justice Hartt. This is the reason for the proposed amendment to The Judicature Act.

POINT OF PRIVILEGE

Ms. Bryden: Mr. Speaker, I rise on a question of personal privilege. I notice there are still 57 questions on the order paper and I understand there may be only a few days left in the session. There were 198 questions, so over one quarter are still unanswered. I wonder if the House leader could inform us whether we can expect an answer before the House rises?

Mr. Speaker: Rather than a point of personal privilege I think just a straight question would have been in order. Does the hon. House leader have an answer?

Hon. Mr. Welch: I suppose it's a matter of a point of view. If one member of the House wants to emphasize the number unanswered, I'd like to point out to the member, although she's a new member, there's a substantial number of questions that have

been answered and I have five more today. I think hardly a day goes by that we haven't had a fair number.

Mr. McClellan: Where is 67? Will we get them all before we return?

Hon. Mr. Welch: I can't undertake that. Some of these questions require a tremendous amount of research. Certainly we're making every effort to do all we can before we prorogue.

Interjections.

Hon. Mr. Welch: Mr. Speaker, before the orders of the day I wish to table the answers to questions 140, 144, 145, 146 and 178 standing on the notice paper. (See appendix, page 5665.)

Ms. Bryden: That leaves 52.

Mr. Speaker: Orders of the day.

EMPLOYEES' HEALTH AND SAFETY ACT (continued)

House in committee on Bill 139, An Act respecting Employees' Health and Safety.

Mr. Chairman: Section 2 is still open and I believe the hon. Minister of Labour had an amendment to that section.

On section 2:

Mr. Chairman: Hon. B. Stephenson moves that section 2 of Bill 139 be struck out and the following substituted therefor:

"2. Where an employee in a work place has reasonable cause to believe that a machine, device or thing is unsafe to use or operate because its use or operation is likely to endanger himself or another employee, or a place in or about a work place is unsafe for him to work in, or the machine, device, thing or place is in contravention of The Industrial Safety Act, 1971, The Construction Safety Act, 1973, or part IX of The Mining Act, or any regulations thereunder as the case may be, the employee may refuse to use or operate the machine, device or thing, or work in the place."

Mr. Laughren: Mr. Chairman, I would like to commend the minister for bringing in this section. I think it's a step forward. I think it makes a great deal of sense and indicates the ministry understands a little more now than it did when the bill was introduced about how strong the employees

feel about protecting one another as well as themselves.

I'm concerned about one aspect of this amendment and it doesn't deal with the wording in the amendment, but I wonder if I could slip in a question here, if the chairman would permit me.

Mr. Chairman: A question is permissible at any time in committee.

Mr. Laughren: Thank you, Mr. Chairman. Does the minister see this section, this amendment or any other section of this bill as being appropriate and indeed having jurisdiction over federal government employees, or employees who are designated as being responsible under the jurisdiction of the federal government—such as railroad employees, such as communications employees, such as miners at Elliott Lake?

Hon. B. Stephenson: Mr. Chairman, I believe it does give us jurisdiction over the safety of the work place for the miners at Elliot Lake. About the others I am not specifically sure because there are certain sections of The Canada Labour Code for which the Ministry of Labour in the province of Ontario is responsible. At this time, I cannot give you factual information about those specific employees which that portion of The Canada Labour Code covers.

Mr. Laughren: I wonder if I could pursue that for a moment? Could the minister have someone within her ministry, hopefully today, find out for us what is the jurisdiction and who is going to be able to say, of the uranium mines of Ontario, "Jurisdiction is with the Ministry of Labour; there is jurisdiction and they are responsible under Bill 139"? I am very worried about jurisdiction in uranium mines in particular because there is no group of employees in the province that needs the protection of this bill more than uranium miners.

Hon. B. Stephenson: I would certainly ask for that specific information about those employees who are under the jurisdiction of the Ministry of Labour in the province of Ontario and who fall under—I think it's part IV of The Canada Labour Code. I will be pleased to provide that information for the member.

Mr. Bullbrook: I see nothing but reason in the amendment and I would supplement the comments made by my colleague from Nickel Belt that the briefs from organized labour express support for the principle of

the section; express a desire, especially in the brief from the Ontario Federation of Labour, for the extension of the principle to protect not only the person making the subjective evaluation but his fellow employee. I felt the extension proposed by the New Democratic Party was meritorious to some extent, based on the implications of it. The obligation of the Ministry of Labour is not only to assure that the work place and working conditions are safe; there is also the propriety of assuring that business can be carried on, which certainly is a function of government.

Frankly, it was my opinion and the opinion of this caucus that the extension expressed by the Ontario Federation of Labour—I think I might, in parentheses, point out to the minister through you, Mr. Chairman, that I voiced this in the presence of the Ontario Federation of Labour—although, as I say, the section is acceptable and somewhat meritorious, I was one who voiced—and I think perhaps the minister voices to herself—some degree of trepidation about this section. There is the continuing obligation on the trade union movement, the individual employer and, collectively, the employees, not only to assure that business be done in a business-like fashion—that is secondary—but that the subjective evaluation and concurrent activity by an employee doesn't render unsafe the work place for his fellow employees. Frankly, in the assembly-line type of production, in what can be characterized as the stream type of production, the unilateral activity of one employee can adversely affect those on the line or those in the stream. That has caused me concern and I voiced that concern in committee. I tell you frankly I voiced that concern to my caucus colleagues in the Liberal Party.

Recognizing that this can be construed somewhat as interim legislation—it's a beginning and a good beginning—we have decided to support the principle of it, also recognizing that we are going to have to give it time to see what happens.

As to the wording itself, I want the minister to help me because I am concerned about the wording of it. As I read it, if I can go over it with you, "where an employee in a work place has reasonable cause to believe" is the end of the operative aspect of the legislation. If I can move down, what is causing me concern is a question of drafting. "Where an employee in a work place has reasonable cause to believe . . ."; that is the operative aspect of the section. Then we go down to the fourth line ". . . a work place is unsafe for him to work in. . ."—and this is

the tough part—"or a place where hazardous emissions are above the allowable standards . . ."

[3:15]

Hon. B. Stephenson: That is not our amendment. That is the NDP amendment.

Some hon. members: That's out.

Mr. Bullbrook: I am sorry. I don't think I have your up-to-date amendment then.

Hon. B. Stephenson: Could we send you a copy?

Mr. Laughren: You are supporting ours today. You wouldn't on Friday. Hey, Sweeney, did you hear that? He would have supported it.

Mr. Sweeney: He didn't say it yet. Wait till he finishes.

Mr. Bullbrook: Let me look at this again, if I may.

I apologize to you. It was the NDP amendment that I was looking at and, frankly, it was completely improperly drawn. Not only was it a question of not accepting the principle, but whoever drafted it for him has absolutely no ability to draft legislation. It was conjunctively disjunctive.

Mr. Chairman: It was at least in order.

Mr. Bullbrook: That, Mr. Chairman, is the best that could be said for it: It was in order. I entirely concur. I appreciate your indulgence. I just wanted to view this again. I hadn't had a copy of it previously. This particular amendment is properly drafted and we will support it.

Mr. Bounsall: I would like to say a few words. In terms of the effect of the minister's amendment, I can't see that it differs in intent that much from the one we had proposed. Where we had proposed "may cause a hazard for another employee", the minister is saying that "the use or operation of this machine, device or thing is likely to endanger himself or another employee".

Mr. Bullbrook: We could explain it.

Mr. Bounsall: As far as I read it, there is little difference at all between the two. It is certainly quite acceptable and an amendment which we will wholeheartedly support; we have no problem with it.

I want to say one other thing to the minister about something that is of a little concern to me. This section as it stood cer-

tainly raised the expectations of all workers in Ontario in terms of them being able to withdraw themselves from an unsafe work place or from the operation of an unsafe machine and so on. Here we have gone one step further in the amendment in which, if he feels it is likely to endanger another employee, he can claim the machine is unsafe.

I am worried about the expectation which this section raises, particularly now that the expectation has been raised even higher, with respect to the support that that employee is going to get. That is, when he withdraws himself and we go through the procedure in the bill, will there be sufficient funds expended by this government to meet those expectations? Will there be sufficient inspectors provided in this province to meet the expectations which this section is quite rightfully drawing from the workers right across Ontario?

I think there are all kinds of indications that when The Mining Act is being policed by the Ministry of Labour now, with respect to—well, okay, in this bill you quite clearly indicate the provisions under which people working in the mines can expect to receive help in terms of an unsafe place or unsafe conditions. They may now refuse under this one as well; under this bill they may now refuse.

You've indicated that you're hopefully providing some 80-plus inspectors in the mining area to accommodate this. The Ham report spoke particularly and only to the mining area. In that area the government obviously appears to be responding with sufficient additional inspectors of one type or another, so that that Ham report, in its specific recommendations, can be carried out effectively for miners in this province.

But, of course, this section speaks to everybody in the province: construction workers, industrial workers. I'm really concerned, as perhaps you are too, Madam Minister, that there are sufficient additional funds provided and, therefore, additional inspectors in the construction industry and in the manufacturing industries to in fact give force to this section in terms of the situations that will be claimed to be unsafe under it. This would give to the industrial worker and the construction worker the feeling—not just the feeling but the actuality—that his complaint can be dealt with.

I guess maybe this is a long way of asking whether the government has indicated to the ministry that in fact there are going to be sufficient funds forthcoming and sufficient inspectors in the industrial and construction areas that one can in fact imple-

ment in actuality this clause now that it's been upgraded in particular?

Hon. B. Stephenson: Mr. Chairman, I might respond by stating that in fact the specific provisions mentioned by the hon. member have been included within The Industrial Safety Act since 1971, and The Construction Safety Act since 1973. The expectations, I think, were raised at that time, and I think those expectations have in fact been met.

But I think I should say that, indeed, it is not the primary purpose of this bill to ensure there will be great hordes of inspectors throughout the province. What we are attempting to do is to provide a mechanism whereby solutions to these problems can be found through co-operative effort between employers and employees within the work place. Indeed, in many instances no inspectors will ever need to be called, because the employer and the employees will have resolved the problem without calling an inspector.

However, we are committed to producing an adequate number of inspectors in order to provide the service as rapidly as possible, and hopefully, on the basis of the record which we have established within the construction industry in the last two years, at the rate of an inspection within 45 minutes of the request being submitted.

Mr. Bounsall: Just one other question on this point, then. Can the Minister of Labour tell us how many inspectors, in addition to those it already has in the field, the ministry would contemplate needing in the industrial sector field in order to give full implementation to this section 2?

For example, in the mining industry we hear there are some 80-plus applied for and so on.

Hon. B. Stephenson: It was not 80 inspectors.

Mr. Bounsall: Well, it was 80-plus when we were in the committee stage a few short weeks ago. I don't know whether you've changed your mind on that commitment; I'd be interested in hearing that. But how many are you contemplating needing, in addition to what you have, in the industrial sector?

Hon. B. Stephenson: Mr. Chairman, I apologize that I cannot give the exact figures because, indeed, the implementation team is still refining those figures with the assistance of experts in the various fields and the responses of the Barrett committee, and next week with the help of the new assistant

deputy minister for occupational health and safety, who will be in place at that time. The figures, I am sure, will be available early in the new year, but right at this point I can't tell you exactly how many. I have told you what our goal is, that we shall be able to respond within a relatively short period of time to all requests for assistance from inspectors.

Motion agreed to.

Section 2, as amended agreed to.

On section 3:

Mr. Chairman: Mr. Laughren moves that section 3 of the bill be struck out and the following substituted therefor:

"3(1). Where an employee in a work place refuses to use or operate a machine, device or thing, or refuses to work in a place therein because he has reasonable cause to believe that the machine, device or thing is unsafe for him to use or operate or may cause a hazard for another employee, or a place in or about a work place is unsafe for him to work in, or a place where hazardous emissions are above the allowable standards, or a work practice may cause his work to be unsafe, or the machine, device, thing or place is in contravention of The Industrial Safety Act, 1971, The Construction Safety Act, 1973, or part IX of The Mining Act, or any regulations thereunder, as the case may be, he shall forthwith report the circumstances of the matter to his employer or the person having control and direction over the operation of the work place, who shall forthwith investigate the report in the presence of the employee and, if there is such, in the presence of either a health or safety representative or member who represents employees or another employee authorized by the employee or the trade union that represents the employees."

We will take this amendment to subsection 1 before proceeding on to other subsections of the section, because the minister has an amendment to section 3(2).

Mr. Laughren: Could I speak to your ruling, Mr. Chairman?

Hon. B. Stephenson: In light of the amendment which was accepted to section 2 it is obvious that the same amendment should be included in section 3(2). I don't have a copy because I've given them all away—the copies of the amendments—but the specific change which was made to section 2 should, in fact, be copied into section 3(1).

Mr. Chairman: Has the minister indicated that she is prepared that those sections that were passed in section 2 should be adopted in section 3(1) of the bill?

Hon. B. Stephenson: Yes.

Mr. Laughren: Mr. Chairman, could I speak to that?

Mr. Bullbrook: Before you do, on a point of order, has the minister's staff provided her with a copy of the amendment to section 3(1)?

Hon. B. Stephenson: No, as a matter of fact, they haven't.

Mr. Bullbrook: I think we'd better get organized. First of all, the staff should provide the minister with the appropriate amendment so we can look at it.

Mr. Chairman: There is no amendment before the committee other than the one presented by the member for Nickel Belt.

Mr. Bullbrook: But my understanding is that the minister is saying, to complement the amendments to section 2, we will require from the minister an amendment to section 3(1). I think, in fairness to the minister, she should get that and we should have a copy of it, because we have to read it since we're passing laws.

Mr. Chairman: That's right.

Mr. Conway: An eminently sound idea.

Mr. Laughren: I very much wish that the minister had accepted our resolution on Friday which embodied the same principle as her resolution today except we then would have been able to adopt our version of the remainder of section 3 which already had that principle built into it.

I must say, Mr. Chairman, that I hesitate to put section 3(1) independently in view of the fact that all of the sections are inter-related; there is a relationship between each subsection.

Mr. Chairman: The minister has amendments to sections 3(2) and 3(3). It's my intention to put the minister's amendment first and any other amendments as sub-amendments, whenever they are present. Unfortunately, we don't have a government amendment to section 3(1) before the committee. That's our dilemma. I think one is being prepared by the legislative counsel at this time.

Mr. Conway: The government doesn't know what it is doing, as usual.

An hon. member: Why don't they tell the minister that?

Hon. B. Stephenson: Mr. Chairman, could I beg your indulgence and the indulgence of the members of the House that we might move to section 3(2) and return to section 3(1)?

[3:30]

Mr. Chairman: That's permissible.

Hon. B. Stephenson moves that subsection 2 of section 3 of the bill be amended by striking out "refuse to return to work" in the 14th line and inserting in lieu thereof "continue to refuse or operate the machine, device or thing or work in the place unless a collective agreement binding the employee expressly provides otherwise." There are other amendments; do you wish to put a sub-amendment to that?

Mr. Laughren: On a point of order, Mr. Chairman. Would it not be appropriate to have skipped over subsections 1 and 2 until the wording of the result of the amendment in section 2 was built into subsections 1 and 2, because I believe that our caucus could support subsections 1 and 2 if the amended section 2 was built into it?

Mr. Chairman: Agreed. All right, the minister has an amendment to subsection 3 of section 3.

Hon. B. Stephenson moves that subsection 3 of section 3 of the bill be amended by striking out "refuses to work" in the first line and inserting in lieu thereof "continues to refuse or use or operate the machine, device or thing or work in the place or having returned to work in compliance with the express provisions of a collective agreement binding the employee, files a grievance concerning his right to continue to refuse to use or operate the machine, device or thing or work in the place."

Mr. Laughren: Mr. Chairman, the reason I was shaking my head toward the minister was that we have a copy of her amendment from last week, but I believe that one goes beyond the copy that she sent to us last week.

Hon. B. Stephenson: No, it doesn't.

Mr. Laughren: Anyway, Mr. Chairman, we have amendments to subsections 3, 4, 5, 6—well, some new amendments to the section. I would ask your guidance when you wish to deal with those?

Mr. Chairman: I think you should put your amendment to the amendment.

Hon. B. Stephenson: Mr. Chairman, if I might say, the amendment to section 3(3) was included in the bundle of amendments which was submitted to the opposition parties last week.

Mr. McClellan: But they have been revised since.

Hon. B. Stephenson: No, it has not been revised.

Mr. Mackenzie: I have what you sent here, but it's only half of that in both of these cases.

Mr. Bullbrook: For clarification, the minister did give us two sets and pointed out that the second set was amending the first set.

Mr. Mackenzie: I have only got one.

Mr. Bullbrook: Did our colleague from Nickel Belt only get one set of amendments?

Hon. B. Stephenson: Mr. Chairman, there was only one additional amendment amending the first set of amendments which was distributed on Friday and it was an amendment to—I've forgotten which one—I think it was section 3(2). The only additional amendment today is the amendment to section 2 and the subsequent amendments which must be made as a result of that amendment to section 2. All of the other amendments which the government proposes were indeed passed to the members opposite last week.

Mr. Chairman: We have the minister's amendment to section 3(3). The member for Nickel Belt also has an amendment. If he wishes to place it before the committee, now would be the time to do it.

Mr. Laughren: This is part of a new section 3 as we would amend it.

Mr. Chairman: This is an amendment to the amendment?

Mr. Laughren: Yes.

Mr. Chairman: We have to treat it as such.

Mr. Laughren moves that subsection 3 of section 3 be amended to read:

"(3) Where the employee refuses to return to work and there is a committee in the work place, the committee shall expeditiously consider the grounds for the refusal to work and require that the health and safety representative take and report to the committee the results of any tests required by either party or by the committee itself and

(a) advise the employee to return to work on the grounds that the machine, device or thing or work place is safe;

(b) advise the employer as to the steps to be taken to remedy the unsafe machine, device, thing, work practice or work place and when these steps are followed advise the employee to return to work on the grounds that the machine, device, thing or work place is now safe; or

(c) where the employer fails to take the required steps to remedy the unsafe machine, device, thing, work practice or work place, the committee shall notify the appropriate inspector or engineer as the case may be."

Mr. Laughren: May I proceed with subsection 4, Mr. Chairman? I ask your direction. Do you wish me to proceed with the rest of the amended subsection 3?

Mr. Bullbrook: I'd prefer not.

Mr. Chairman: Just down to clause (c).

Mr. Laughren: I've finished clause (c).

Mr. Chairman: That's all that's required. Anything further to that is section 3(4).

Mr. Laughren: Exactly.

Mr. Chairman: We'll deal with it subsection by subsection.

Mr. McClellan: Mr. Chairman, on a point of order, because our amendments are sequential and involve a completely different approach to the entire section, I just want to make it clear that it makes no sense to be dealing with section 3(4) in isolation from sections 3(1), 3(2) and 3(3). It would seem to me to make sense to proceed, in introducing our amendments to this section, to introduce them sequentially from subsection 1 right through to subsection 8 so that we could then argue our alternate approach and attempt to persuade the House of the wisdom of that direction rather than to chop it all up into pieces that make absolutely no sense out of context.

Mr. Chairman: I'm inclined to agree with the hon. member. It would be a lot easier for the committee and for the Chair if we were to keep these in order. Has the minister any indication of how long it would take to place before the committee the amendment to section 3(1)?

Hon. B. Stephenson: I don't have any specific indication of the length of time right at the moment, but I think it can be done in about five minutes or so. However, it is a

very simple amendment. If one substitutes for the first nine lines of section 3(1) the amendment to section 2, and then proceeds with the remainder of that section, that's all there is to it. It's simply an amplification of the responsibility.

Mr. Chairman: We're dealing with a fairly complex bill and we want to make sure we don't get ourselves into a dilemma that may be difficult to extricate ourselves from.

Mr. Bullbrook: May I speak to the point of order, which I think is a valid point, except I think our colleague from Bellwoods was trying to point out that section 3(3) and those following they regarded as a package. I don't think he was objecting to our delay with respect to sections 3(1) and 3(2).

Mr. Laughren: That's right.

Mr. Bullbrook: Frankly, I'm not married to any situation, as far as that's concerned. If the New Democratic Party feels it can explain more ably by going to section 3(4) and onwards, I have no objection to it. I doubt it because it seems to me the principle of their change is in 3(3) and the other is just an application of it. If they want to read 3(4) now, I don't think the minister would object, would you? Let's go ahead and read them.

Mr. Chairman: Mr. Laughren moves:

Subsection 4: Where the employee refuses to return to work and there is no committee in the work place, the employer or person having control or direction over the work place shall notify the appropriate inspector or engineer, as the case may be.

Subsection 5: Any test result under subsection 3 shall be made available to the engineer or inspector at this time. Or the engineer or inspector may carry out any test required by either party at this time.

Subsection 6: Where the inspector or engineer as the case may be receives a notification under clause (c) of subsection 3 or under subsection 4 he shall expeditiously investigate the matter in the presence of the employer or person having control and direction over the operation of the work place, the employee, and, if there is such, either a health and safety representative, a committee member who represents employees or a person authorized by the trade union that represents the employees.

Subsection 7: The inspector or engineer shall, following his investigation make a decision whether the machine, device or thing is unsafe for the employee to use or operate

or the place is unsafe for the employee to work in, or the machine, device, thing, or place is in contravention of The Industrial Safety Act, 1971, The Construction Safety Act, 1973, or part IX of The Mining Act or any regulations thereunder as the case may be, and shall notify the employee of his decision.

Subsection 8: Where an employee refuses to work or continues to refuse to work, the employer shall not allow another employee to replace him until such time as he has been advised to return to work under clause (c) of subsection 3, clause (a) of subsection 7, or section 6.

Mr. Laughren: At your direction, Mr. Chairman, I would speak to that amendment.

Mr. Chairman: Does the minister wish to explain the reasons for her amendment before we deal with the amendment to the amendment?

Hon. B. Stephenson: The reasons for our amendment are simply that in many work places, under the collective agreement existent in those work places, there is a mechanism already set up for dealing with this problem.

It would seem to us that in those areas in which this is set up and in which it is functioning effectively, it would be unwise to tamper with it. What we are suggesting is that where an acceptable mechanism under the collective agreement has been established, this Act should not take precedence over that agreement which has been decided upon between the two parties within that work place specifically.

That is my comment about mine. If you'd like me to comment about some of those amendments suggested by the opposition party, I would be pleased to do so.

Mr. Bullbrook: Go ahead. Do it.

Mr. Chairman: So that we can expedite matters—since we're going to vote on the amendment to the amendment first, all comment until we take that vote will be restricted to comment on the amendment to the amendment.

Mr. Laughren: Thank you, Mr. Chairman—I think.

We have moved this amendment because we believe that the health and safety committees have a major role to play in the whole question of occupational health. What subsection 3 does is establish or insert in the process, after a worker refuses to work, the role of the health and safety committee. The minister's bill does not do that.

This bill would have the health and safety committee come in to play a role at that point, when the worker decides that the place is unsafe. The worker then would go to the health and safety committee; the health and safety committee would investigate the conditions and either advise the employee to return to work or advise the employer what steps to take in order to improve the conditions. If the problem is still not resolved, if the employee still refuses or employees still refuse to work, the committee notifies the appropriate government inspector who would be called into play.

[3:45]

This is not an amendment which is popular with all workers or all trade unions. It puts a significant responsibility on the health and safety committees and I think that's appropriate. I think that along with the authority to refuse to work should go a responsibility to make a decision and that is what subsection 3 does.

Subsection 4, if I might move on with the amendment, establishes the committee's role in notifying the employer as well as the inspector. In subsection 3 the inspector has to be notified; in subsection 4 the employer must be notified.

In subsection 5, which is a new subsection and is not at all mentioned in the government bill, we are saying any tests that are required should be done; that there is an obligation on the part of the inspector to carry out any tests that are requested by either side, by the employers or the employees. I know this is done in the work place now—for example, in the smelters if the workers feel the emissions are too high or unacceptable, they can request that a test be made. What we are saying is that we want it part of this particular bill. That's why we have included subsection 5.

Subsection 6 details the role of the inspector or the engineer when that person comes in after a request by the health safety committee. Any tests are done in the presence of the workers or one of their representatives and we feel that that is necessary to outline specifically what is expected of the inspector when he comes into the work place.

Subsection 7 I would think is a controversial one within the ministry or certainly with the people who would be doing the inspecting, because it puts significant onus upon the inspector to make a decision. It says that when the inspector examines the work place, that inspector then makes a

decision as to whether or not it is safe or unsafe and notifies the employee of his decision. That's terribly important. I think that some inspectors would rather not go through that formal process of making that recommendation. I know that there are those in your ministry who would prefer that the inspector does an investigation and indicates what his opinion is and that after that the normal employee-employer relationship takes over and that they proceed as they will. We are saying that when the inspector or the engineer makes that investigation they must notify the employee of what they think should be done.

In subsection 8 we are saying that when a worker refuses to work that the employer not be allowed to send another worker in at the end of a shift, for example. When we were hearing submissions before the committee you heard the steelworkers local at Sudbury tell you of a man—and they named the man—who was told to go to work at a particular place in one of International Nickel's mines. That worker refused to go to work, was sent home and his replacement was killed. This subsection 8 states that the employer will not be allowed to send another employee in until he has been further advised.

Mr. Bullbrook: I would like to speak, I hope not unduly at length, but I want to premise my comments personally if I may. I want to confess I am not happy with this legislation at all. I am not happy with the results that might come from this legislation.

If this legislation is subscribed to by employee and employer in a reasonable and responsible manner, then it is fine legislation. But all it takes is one irresponsible individual to make chaos out of this legislation. As a result of my premise that I have voiced previously I want to say this, if I can, to my colleagues in the New Democratic Party. This legislation is tough enough to swallow and tough enough to administer and the practical impact of it on other employees and on business in general is difficult enough without burdening it with excess verbiage that has almost superhuman administrative difficulties and really doesn't effect any great benefit. I say with the greatest respect to them, I regard this particular set of amendments as purely verbiage.

Think of the last thing our colleague from Nickel Belt said: "We want to assure, in the last subamendment, that no one entering the work place to undertake the hazardous work

previously undertaken by an employee who refused to work there will have to work there." I think the second workman will have all the benefits, all the rights, all the duties and all the responsibilities that the first workman had, and if there is a set of objective circumstances that prevailed wherein the first employee should not have worked, then the same will prevail as far as the second employee is concerned.

I use that only as an example of the fact that I for one am prepared, and this party collectively is prepared to evaluate amendments and to support those that are needed, but now I'm going to put to you a practical difficulty that I see, Mr. Chairman, in the first amendment. What is asked now in the New Democratic Party in its amendment is that when the employee makes the judgement that a thing is unsafe and so on, that immediately he refuses to work there shall be convened a meeting of the committee; that is, the health and safety committee.

I'm just trying to translate that into something that might happen at Polymer Corporation in the valley. In the middle of production, that on-stream production of a highly dangerous and volatile nature, the individual decides it's unsafe and makes his judgement, and let's premise that his judgement eventually under this statute will be found to have been a very valid judgement, valid in the assessment of his own condition and the condition of other employees. What I understand the amendment to be is that we'll convene the health and safety committee, one of whom might be half a mile away, one of whom might be 200 feet in a catalytic converter in the air. I'm just trying to point out by way of, I hope not exaggeration. The intention is protection. The second thing is the expedition of removing the offending unsafe conditions. The intention of the legislation is not to arbitrate on the spot who made the right decision. That isn't it at all.

I want to say to the New Democratic Party that the legislation it proposes would hurt the employees more than help them. If we're going to begin undertaking the arbitration proceedings then, I just really am vitally concerned with the other people who are in the middle of the plant waiting for six men or nine men to come together and make a decision on whether it is unsafe or not.

The fact of the matter is there has to be some type of flow of the decision-making process. I'm not entirely content with what's there, but that only reinforces the fact that I'm not entirely content with the legisla-

tion. I want to say, frankly, about this type of legislation that's put to us—even as amended, which I'm prepared to support—that I do want you to explain again to me the intention. I think I have it understood.

I just think we have to recognize frankly that this is new legislation. It's the type of thing where we're doing it for the purpose of protection. The premise, the total capture of our thought is the question of protection, not the question of the resolution of the employee's judgement. I ask my colleagues in the New Democratic Party to recognize that the implication of what they're proposing is, in effect, to attempt to make a judgement or a resolution of the propriety of the employee's judgement. That shouldn't be it. The situation should be to expedite remedying the situation.

Mr. Bounsall: If the minister wishes to reply to that at the moment, I could yield my place to her at this point. Did the minister want to respond?

Hon. B. Stephenson: No, I simply wanted to say that I had to agree with the hon. member for Sarnia that the purpose of this legislation is to provide for the most rapid possible remedy to difficult and dangerous situations and, indeed, that's the premise upon which the legislation was written.

There is nothing in this bill which would preclude the possibility of a role by any group of members of the health and safety committee or the entire health and safety committee if that is found to be a useful and expeditious mechanism for resolving these kinds of problems within the work place, but there are many instances in which this, as the hon. member for Sarnia pointed out, would be an inhibition. It would indeed prevent the reasonably expeditious resolution of problems and I think would slow down the provision of remedies in many situations.

It would seem to me to be much more sensible to allow each work place—the employers and the employees—to work out the mechanism which is best for them. This is why we specifically did not set down a step by step, breath by breath, moment by moment kind of outline which had to be rigidly followed in every single situation, because there are many variabilities in the work place situations throughout the province. What we are attempting to do is to provide as rapidly as possible a mechanism to resolve the difficulties and to supply the remedies. I would hope that all the members of the House would agree with the hon. member for Sarnia.

Mr. Bounsall: I find the minister's attitude on this one a little bit contradictory. When I spoke to her on the early part of section 2, my concern was with the provision of sufficient inspectors to be able to respond quickly enough when a right to refuse is exercised because of the machine, device and so. This section 3, subsection 2, is where, after consulting with the management, it appears to the worker that it is still unsafe—it's under this section, subsection 3 now, where the inspector must be called in. The minister in reply to me in terms of not knowing how many additional inspectors were needed, if any were needed at all, was in argument saying we are trying to get around having inspectors in the work place by having a lot of these things resolved on site.

This is the amendment which involves the existing safety committee on site immediately before one would call an inspector in and hopefully solve it at that point. This amendment of ours to section 3 of our amendment is the one which answers and speaks to the very point you raised. It involves the committee on site before you then call your inspector in. It involves hoped-for resolution on site before calling in your inspector.

In the present bill as written, what happens is once the worker has reported it, once there appears to be disagreement between him and his supervisor as to whether it's unsafe, in comes the inspector—if the worker still finds it unsafe. In section 3(2) is his right to refuse and in section 3(3) is where you call the inspector in.

No one else comes in and intervenes at that point unless it's for those plants in which there's a collective agreement. In that collective agreement, you in fact collectively agree that you will have this safety committee involved which we have proposed in our section 3. That possibility is certainly there, that a committee so formed either by—under this bill—direction by the minister, or the committee which they have agreed to across the bargaining table, if it is also agreed that they will be looking at the situation or members of the committee thereof.

[4:00]

I have no brief for calling the entire nine members together to have a look at this thing. I quite agree with that one comment by the member for Sarnia—you are not going to have a full committee meeting over it, getting people out of bed when they are on a different shift and so on to resolve this. I would think that any reasonable

mindful committee—one so designated by the minister or one elected by the workers or chosen by management would be reasonable—would have members who would have expertise in given areas of the plant. It has a real potential of avoiding calling in your inspectors—and you haven't yet in this House given any guarantee that there are going to be any more of them in the province.

Mr. Roy: Don't get excited.

Mr. Bounsall: I am concerned that there are sufficient to meet the need around this province. Your reply was, "We have some committees to help resolve it at the work place." You haven't under this procedure at this point.

I would have thought, from what the minister had said, that she would be more than anxious, apart from what happens in a simple disagreement between the supervisor and the worker about whether it is safe, to have someone else at plant level concerned with safety come in and have a look and give some advice before they call in the outside inspectors. This is the force of these amendments.

I would think the minister—I don't know how much time she spent considering this point. Her answer to me in the previous section may well have been different if she had. I would ask her to consider that very seriously.

If I could just comment—I'm not running through all the clauses we have presented at this point—the section 7 we have introduced speaks to section 4 of the ministry bill. I remember in committee, when we were hearing submissions, one of the things which seemed to interest the minister greatly was what happened when the inspector or engineer comes in and finds the operation to be safe in his opinion. Under this legislation nothing need be done as I see it here in this Act.

If the minister is saying that The Industrial Safety Act, The Construction Safety Act and part IX of The Mining Act direct them quite clearly to indicate to the employee in no uncertain terms that whatever the condition or machine he was complaining about, it is safe and he must therefore return to it—if she can point that out under those three Acts I would be happy to have her do so. You are caught in the conundrum that if he finds it unsafe, under the present situation and under your present Act things follow. He indicates it is unsafe; he gives a directive; the directive gets posted and so on.

We are missing one chief point here. What if, in his opinion, he finds it to be safe? What happens then? This is what we are doing in section 7 of our amendment—just having an inspector, when he finds the condition in essence to be safe, notify the employee of that decision. You have the situation covered if he finds it to be unsafe but you have not got the situation covered if he finds it to be safe.

My reading of those three Acts—The Industrial Safety Act; The Construction Safety Act; and part IX of The Mining Act—does not indicate to me that the inspector indicates to the employee that it is safe. Let's face it, there may be some very small percentage—I would say less than one per cent—of irrational complaints about something being safe so one has to accept that a complaint about a particular device or situation means the worker really believes it to be unsafe for some reason and he needs reassurance. You call in the inspector. The inspector can tell him why he feels it to be safe if he finds it to be. As far as I read the legislation, that is a real lack in it. I commend that subsection 7. In essence, it makes a small addition to the present section 4 in the Act to the matters to be brought to the minister's attention so that when something is found safe the employee is in fact notified.

Hon. B. Stephenson: It is precisely that rigidity introduced by the series of steps spelled out in the amendment of the New Democratic Party that I felt was inappropriate in the introduction of this legislation. There is a multiplicity of mechanisms which will be established in various types of employment situations; in some where the committee will function, in others where the safety representative will function and in others where one member of the committee or something of that sort will function. We do not believe that at this time that should be rigidly set down and etched in stone so that each employment establishment has to follow one set pattern.

The problem is the one of remedying situations and keeping the work place safe. Whatever we can do to make it function as rapidly as possible is what we should do. Establishing a set of absolutely rigid steps which must be followed in order to do this is not a means nor a method of ensuring the speed with which the resolution will be found. In addition under the existing Act, as you very well know, the directions in any unsafe condition are left immediately with the employer in that establishment. Under

this Act, the employer must let the employees know immediately that the condition is unsafe or directions have been left. If there are no directions and nothing is left by the inspector, then obviously the situation is a safe situation.

Mr. Bounsall: I don't find that really too acceptable. If he's not made a decision that it's unsafe, if he's not found it to be unsafe, then his decision is that it's safe.

Mr. Bullbrook: Mr. Chairman, on a point of order, without objection our colleague from Windsor-Sandwich got on to section 7. He's directly on section 7. If he wants to argue with the minister the propriety of her response with respect to his out-of-order comments on section 7, so be it when we get to section 7. But we're never going to get finished.

Mr. Bounsall: On the point of order, it has been accepted that the amendment to the amendment is the one that we are discussing now and we're discussing all of them.

Mr. Bullbrook: Let's get on with it. Goodness gracious.

Mr. Bounsall: It so happens that subsection 7 speaks to subsection 4 of the minister's bill.

Mr. Bullbrook: But the problem is you keep saying the same thing over and over again.

Mr. Bounsall: You set up some of these careful procedures in this Act and I just can't see why in this particular area you can't finish it off and say if he's found it to be unsafe for heaven's sake tell the employee directly.

The one other question which I have with respect to the minister's reply is: In the formation of the committee is the minister saying, when she indicates the various multiplicities of routes that can be taken here, that if this one section of the bill carries, when she is designating the various safety committees to be formed around the province, in the formation of some of those safety committees and in her directions with respect to safety representatives, in some of those situations she has in mind to say it's her feeling they should check with that safety representative or that safety committee before they come to the inspector?

Hon. B. Stephenson: In some situations that would be entirely appropriate and in others it would not. That is certainly the intention.

Mr. McClellan: Let me just say one thing with respect to the minister's argument that we're introducing a kind of rigidity that isn't in the bill. I don't accept that; I don't see that. You have set out a series of steps, and whether you like it or not the steps are there and they will be followed in subsections 1, 2 and 3. You don't have a role in your steps for the health and safety committee. We have introduced that role, and it misunderstands what we are trying to do to say that we have introduced the kind of rigidity you say.

There is a normal sequence of events that will unfold when a worker identifies an unsafe condition, and we are simply saying that it is better as a goal to seek to resolve the dispute at the plant at the level of the health and safety committee rather than to establish the pattern of relying on outside enforcement to resolve the dispute. That's the point that we are trying to make.

Mr. Bullbrook: I just want our colleagues in the New Democratic Party to understand that the minister is trying to convey to them that there is nothing illegal about the employees dealing with the health and safety committee. That's all she is saying.

Interjection.

Mr. Laughren: In response to the two Ministers of Labour, all we are attempting—

Mr. Ruston: You recognize talent.

Mr. Bullbrook: We certainly have ministerial capacity here.

Mr. Acting Chairman: Order, please.

Mr. Laughren: Thank you, Mr. Chairman.

Mr. Reid: You'd think they were against the bill.

Mr. Laughren: As a matter of fact, we have an obligation to improve the bill.

Mr. Bullbrook: Who worded these amendments anyway, for goodness' sake? They are the worst I have seen.

Mr. Laughren: We really do have an obligation to improve the bill.

Interjections.

Mr. Acting Chairman: Would the member for Nickel Belt address his comments to the Chair?

Mr. Laughren: Mr. Chairman, it really does seem that whether it is because the minister is the author herself of the existing bill or whether or not she has only been around

for a year or so, I'm not sure of the reason, but she seems to resent our attempts to play our legislative role; namely to improve government legislation.

I don't understand that. All we are saying in this amendment is that instead of going directly to a government inspector on a refusal to work—who knows whether they will have enough government inspectors or not—we bring in the workers themselves and try to resolve the dispute in the work place. Surely that is a positive step? That's not rigidity. As a matter of fact, it should make it much more acceptable to the minister. I think it's a much better idea and I would ask her to support our amendment.

Mr. Acting Chairman: Shall the amendment to the amendment carry?

All those in favour say "aye."

All those opposed say "nay."

In my opinion, the nays have it.

I declare the amendment to the amendment lost.

Interjections.

Mr. Acting Chairman: I didn't see any members stand.

We will now vote on the amendment proposed by the minister to section 3, subsection 3.

Hon. B. Stephenson moves that subsection 3 of section 3 of the bill be amended by striking out "refuses to return to work" in the first line and inserting in lieu thereof, "continues to refuse to use or operate the machine, device or thing or work in the place or having returned to work in compliance with the express provisions of a collective agreement binding the employee files a grievance concerning his right to continue to refuse to use or operate the machine, device or thing or work in the place."

Mr. Haggerty: Mr. Chairman, could we have a definition of "thing"?

Mr. McClellan: It's the same as a body.

Hon. B. Stephenson: It is my understanding that it is not the same as a body. It is something to do with a mechanical effort or a piece of an instrument, a piece of machinery, something which one individual can move in order to provide some kind of physical effort in an establishment. It is not the same as a body because a body can be a multiplicity of things, apparently.

Mr. Bounsall: It's a whatchamacallit.

Mr. Acting Chairman: All those in favour of the amendment to section 3, subsection 3 will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Motion agreed to.

[4:15]

Hon. B. Stephenson: Could we now revert to section 3(1)?

Mr. Acting Chairman: Hon. B. Stephenson moves that subsection 1 of section 3 of the bill be struck out and the following substituted therefor:

"Where an employee in a work place refuses to use or operate a machine, device or thing, or refuses to work in a place therein because he has reasonable cause to believe that the machine, device or thing is unsafe to use or operate because its use or operation is likely to endanger himself or another employee, or the place is unsafe for him to work in, or the machine, device or thing or place is in contravention of The Industrial Safety Act, 1971, The Construction Safety Act, 1973 or part IX of The Mining Act or any regulations thereunder, as the case may be, he shall forthwith report the circumstances of the matter to his employer or the person having control and direction over him who shall forthwith investigate the report in the presence of the employee, and if there is such, in the presence of a safety representative, or a committee member who represents employees or a person authorized by the trades union that represents the employees."

Hon. B. Stephenson: Mr. Chairman, I inadvertently used the plural of "employee" as the final word in that amendment. It is "employee."

Mr. Laughren: Perhaps the minister could move section 3(2) at the same time so that we can deal with them together.

Hon. B. Stephenson: Yes, I could because the same amendment should prevail in both sections. It is the amendment which provides the employee the right to refuse to operate or work if what he is doing is likely to endanger another employee.

So, might I then move at the same time—

Mr. Acting Chairman: Excuse me, Madam Minister. Is it the pleasure of the committee to consider both amendments at the same time?

Agreed.

Mr. Acting Chairman: Hon. B. Stephenson moves that subsection 2 of section 3 of the bill be struck out and the following substituted therefor:

"Where the employer or the person having control and direction over the employee disputes the report or takes steps to make the machine, device or thing or place safe or comply with The Industrial Safety Act, 1971, The Construction Safety Act, 1973, or part IX of The Mining Act or any regulations thereunder, as the case may be, and the employee has reasonable cause to believe that the machine, device or thing is or continues to be unsafe to use or to operate because its use or operation is likely to endanger himself or another employee, or the place is or continues to be unsafe for him to work in, or the machine, device, thing or place is or continues to be in contravention of The Industrial Safety Act, 1971, The Construction Safety Act, 1973, or part IX of The Mining Act or any regulations thereunder, as the case may be, he may continue to refuse to use or operate the machine, device or thing or work in the place unless a collective agreement binding the employee expressly provides otherwise."

Mr. Haggerty: You have dropped the word "him." Is that what you have excluded from the amendment?

Mr. Bullbrook: Which one?

Mr. Haggerty: In subsections 2 and 1; in both of them I thought I understood the minister said "to be unsafe to use." You dropped the words "for him." Is that it?

Hon. B. Stephenson: I'm sorry, if I said that, Mr. Chairman: "... be unsafe for him to work in, or the machine, device, thing or place is or continues to be in contravention . . ." Is that the area?

Mr. Haggerty: Yes, in your amendment you dropped the word—

Hon. B. Stephenson: I'm sorry, I did not drop the words deliberately. If I did it, I did it inadvertently and incorrectly.

Mr. Haggerty: Because I was going to suggest the word "employee" instead of "him."

Mr. Bullbrook: Along the line of construction—I have no objection; it's just complementary to our amendment to section 2. I'm concerned frankly with the fact that the fact that we refer to an employee when in fact we have two employees, although I don't know whether that will ever cause anybody

any trouble. For example, "or a person authorized by the trade union that represents the employee." Now, we have two employees: We have the employee who is about to undertake work that might adversely affect another employee; so we've got two employees. Just for the sake of undersanding and construction, he—the employee—comes "in the presence of . . . a safety representative" and so on. Which employee?

Hon. B. Stephenson: The employee who refuses to work.

Mr. Bullbrook: So it isn't necessary that the employee be there who might be adversely affected by the unsafe condition?

Hon. B. Stephenson: No.

Mr. Bullbrook: Well, that's worthy of some thought, I think, on our part. It might not cause any trouble. I'm interested in whether our colleague from Nickel Belt thinks it would. In effect, you've got A, who says: "I will not work on this job because the job might have an adverse effect on B." So it's only A who comes to grips with an analysis with the safety representative. Is there any necessity for B to be there? I take it not, probably not. I thought I'd clarify it in my own mind.

Mr. Moffatt: And did you succeed?

Hon. B. Stephenson: Mr. Chairman, I think of the example which has been used with some frequency by the hon. member for Hamilton East, that of the crane operator at Stelco. Certainly it is the crane operator who makes the decision, because his knowledge of that machine is such that he is aware of whether that machine will endanger other people. He is also aware that it's not likely to endanger himself at all, but his refusal is on behalf of the other employees.

Mr. Laughren: I might say that to have the section worded otherwise, which I gather the member for Sarnia was implying, that there would have to be consultation with the other employee, would be unthinkable—

Mr. Bullbrook: No, after the fact—after the cessation of work.

Mr. Laughren: Oh, I'm sorry. Okay. Dispensing with that remark then, I would say we are very pleased with the amendment. We would have included the work practice, the emissions and so forth, which were in our amendment, but I certainly hope the Act will be interpreted in the same way as our amendment read; namely, that if an employee has

reason to believe—whether it affects himself or another employee—that that work place is unsafe, the employee has that right and there is no need, I hope, to tie it down any tighter than that. But we are very pleased that the minister has accepted the spirit of our amendment.

Section 3, as amended, agreed to.

Mr. Acting Chairman: Hon. B. Stephenson moves that section 4(1) of the bill be amended by striking out the phrase “or a class or group of employers as defined in the order” in the second and third lines thereof.

Mr. Laughren: Will the minister speak to that?

Mr. Bullbrook: I have an amendment I'd like to make to the amendment. I want to express my concern, as I have in committee. Do you mind if I premise my amendment to the amendment with remarks prior to putting it, Mr. Chairman, or would you prefer that I put my amendment first?

Mr. McClellan: You can't do both.

Mr. Acting Chairman: I don't see anything wrong with prefacing it with remarks.

Mr. Bullbrook: I expressed in committee and continue to express the discretionary aspects of this section—the word “may.” The intention of the legislation should be that the minister shall establish joint health and safety committees. As I said in committee, it's not a reflection on the way the present minister undertakes her responsibilities. We write law not for the incumbent minister; we write law for all Ministers of Labour in the future until another Legislature decides to remove the appropriate power or the appropriate discretion from the minister.

I feel two things with respect to the section. First of all, it should be mandatory. If there is a business operating in Ontario, no matter what its size—I don't care whether there are three employees—which doesn't have a joint health and safety committee we have an obligation. If, truly, we feel our obligation to each employee in the province of Ontario is to protect his or her health and safety, then we can't afford the numbers game, notwithstanding the numbers used in the legislation and notwithstanding the arbitrariness of the numbers used in the New Democratic Party's proposed amendment which will eventually come before us.

I want to couple that with the concern I have that you don't interfere with existing joint health and safety committees. I think it's

the intention of the present minister to respond by saying, “If there is in existence a joint health and safety committee which is doing its job, then that's the very intention of the word ‘may.’ I don't have to structure a new committee there.” On the other hand, the use of the word “may” in the present section gives the alternative arrangement even if there is no adequate joint health and safety committee.

As a result I think we require an amendment which does two things: One, it gives the minister the ability not to interfere with existing joint health and safety committees which are doing their job. Who should decide whether the committee is doing its job? The employee, a group of employees, or the collective bargaining agent representing the employee? Or, on the other hand, the employer? Or either or any of them? That's the intention of my amendment.

The intention of my amendment is that if you have in being a joint health and safety committee which all parties are content with then, of course, the minister will not interfere with it. But where you have either no joint health and safety committee in being or any of the parties are not content with the efficacy or adequacy of the joint health and safety committee, then the minister shall appoint. That's the intention of what I put forward.

Mr. Laughren: On a point of order, Mr. Chairman, if I might—not to be unduly rigid but I would hope that we would deal with the minister's amendment. I understand we were debating the minister's amendment to section 4 before we proceeded with another amendment. Is that not correct?

[4:30]

Mr. Bullbrook: I had intended to put an amendment to the amendment but I haven't put it yet and I think probably my colleague from Nickel Belt is correct. I would think it might be more appropriate for the member for Nickel Belt to move an amendment to the amendment because, really, his amendment, as proposed, is more in the nature of an amendment to the amendment than mine is. In effect, mine is really the establishment of a new concept under the section. So I go along with this. I haven't made my amendment yet. You permitted me, Mr. Chairman, to speak on what is in the nature, I suppose, of a comment with respect to the original amendment.

Mr. Laughren: I wanted to speak against the minister's amendment. That's what I was hoping to do with your permission, Mr. Chair-

man. The minister in her amendment has taken out the term "class or group of employers." That is basically what she has taken out, as I understand her amendment, and that bothers me because, if the minister was to accept the amendment which I shall be putting to the committee, my concern about a group or class of employers would not be there because it would be covered by our amendment.

What is bothering me is that the minister intends to prevail with the present bill which says that the minister may by order in writing require, et cetera, the establishment of joint health and safety committees. My concern is that because they are not mandatory committees the thought of the minister sending out 100,000 letters requiring the mandatory establishment of health and safety committees would be rather awkward. What I am wondering is why she would want to take the term "class or group of employers" out when it would make the job so much easier, if the bill is going to remain unamended.

In other words, if the committee does not accept our amendment, then it is going to require an awful lot of letters. It would surely expedite the establishment of joint health and safety committees considerably if the minister could designate a class of employers or group of employers as needing safety and health committees.

For example, it would be very simple for the minister, rather than sending a letter to every mining operation in the province of Ontario to designate the mining industry as a group of employers which shall establish a joint health and safety committee. I see no reason for taking out "class or group of employers." That's why I interjected before the minister sat down as to why she was not going to speak to her amendment, because it does confuse us somewhat.

Hon. B. Stephenson: I think there is a very valid reason for removing the class or group of employers as defined in the order. I have looked at all of the classifications of employers throughout the province and have not found a single group in which there is not one health and safety committee. In every single class there are health and safety committees. Therefore, it would be rational, it would seem to me, to exclude from the legislation any words which might say that one had to appoint health and safety committees for an entire class of employers in the province, because in many of these instances the health and safety committees are functioning very well, very efficiently and to the

benefit of the employees in very large measure.

It would be much more sensible, it seems to me to make the decision on the basis of the individual merit of each case, of each employer. I classify employers as an employer who may have three or four different establishments. It is still the same company and therefore it is still the same employer. But that is not a group of employers. It is an employer. I think a class of employer, as we have presently classified them in this province, would be a very unwieldy and unworkable way in which to establish health and safety committees.

I think it's far better for the minister, upon the advice of those who are really knowledgeable about it, including the employees who work within that establishment, as a result of complaints from the advice of the inspectors who inspect each of the establishments and from the advice of the director of the occupational health and safety authority within the Ministry of Labour, to decide on the merits of each individual case for each individual employer the requirement for the establishment of a health and safety committee.

Mr. Laughren: I don't like to be so blunt but the minister is wrong. There are industries in this province—

Hon. B. Stephenson: Name me one.

Mr. Laughren: The forest industry.

Hon. B. Stephenson: The forest industry has health and safety committees.

Mr. Laughren: That is correct, but there are many forestry operations in the province of Ontario where they do not have safety and health committees and it is about those very operations that we are concerned. That is why we are saying make them mandatory.

Hon. B. Stephenson: Exactly, but that is what I am concerned about.

Mr. Laughren: You don't even know who they all are. You don't know the behaviour of Chapleau Lumber up in Chapleau. You have no idea.

Hon. B. Stephenson: I certainly do.

Mr. Laughren: You certainly do not—well, perhaps that particular one because it was brought to your attention. I will say there are many small operations across northern Ontario in the lumbering industry which you don't even know exist. If you were to

say the onus is upon this class of employer to establish safety and health committees, you would have gone at least part way to making the employers of the province realize that they have a responsibility to establish those health and safety committees. You're putting the onus on the people who should have it.

Mr. Bullbrook: Do any of them have fewer than 10 employees?

Hon. B. Stephenson: Yes.

Mr. Laughren: I would say not likely.

Hon. B. Stephenson: Yes, some of them do.

Mr. Bounsall: Speaking to this point, I would think that the minister, in what she's trying to address here, would be better advised to leave class in. If she's now made a thorough search and she knows which of those employers in let's say, the forest industry and which of those public utilities above a certain size—to use the example that impressed me before our committee about the need for a class being designated—have them in Ontario, the order would simply say—perhaps she could make it quite general—"all those public utilities in Ontario, except those which, by December 1, 1976, already had a functioning safety committee will now form them." I would think that with the order indicating an entire class, she could very quickly exempt, with half a line, those which already are in existence and which she feels are therefore working properly.

The example that impressed me was that of the public utilities commissions in Ontario, and we should not miss the opportunity to be able to say to them, "You should have safety committees." We were so clearly told by the spokesman for the IBEW that there are certain utilities which don't have them. There is a rule book, a sort of safety practice book, which is given to utilities but each utility can choose whether or not to follow it and more than quite a handful do not bother to follow it.

Their membership on utility safety or provincial safety committees whatever they are called, is purely optional. There are utilities which go in and out of it—they belong for a while then don't belong for a while and so on. That whole situation with respect to electrical work or small utilities in the utilities field across the province begs to be designated as a class if the bill carries as it is before us.

The minister can very easily exempt those which have them by saying, for example

"This designation will apply to public utilities and employers, except for those which already have them or have them by such and such a date." To lose that flexibility in this case—as it's written this is a more flexible arrangement and you can designate a whole class except for those which have them. Otherwise you would have to sit down and send separate individual letters to the different public utilities commissions and so on across this province where that obviously is a matter of concern. It seems to me this is the more practical thing.

I would think the member for Sarnia, who spoke but didn't make the amendment so that it would read "the minister shall require employers to establish joint health and safety committees" and so on also would like to see that class or group remain in there in case his "shall" replacement for "may" didn't carry. I can't see any reason that we in this party wouldn't support the substitution of "shall" for "may" which is what his amendment appears to be. It simply causes safety committees to be formed, period, across the province irrespective of the size, although I don't know whether one could effectively do it with only three members. But certainly, speaking to your amendment, I think you are losing flexibility by removing this class or group of employees.

Mr. Laughren: Is it appropriate to move at this time an amendment to the amendment without pre-empting anyone, Mr. Chairman?

Mr. Acting Chairman: It is with the clerk?

Mr. Laughren moves that section 4 of the bill be struck out and the following substituted therefor:

"(1) Every employer of 10 or more employees shall establish a joint health and safety committee or committees for a work place or any part or parts thereof.

"(2) A committee shall consist of not fewer than two and not more than 12 persons of whom at least half shall be employees who do not exercise managerial functions to be selected by the employees they are to represent or, when there is a trade union or trade unions representing such employees, by the trade union or trade unions.

"(3) The members of the committee shall elect two of the members as co-chairpersons, one of whom shall represent the employees, one of whom shall represent the employers.

"(4) It is the duty of the committee and it has power to,

"(a) identify situations that may be a source of danger or hazard to employees;

“(b) make recommendations to the employer and employees for the improvement of the occupational health of employees;

“(c) establish and maintain programmes, measures and procedures respecting the health and safety of employees and monitor their effectiveness;

“(d) obtain information from the employer or other persons respecting,

“(i) the identification of potential or existing hazards of materials, processes or equipment, and

“(ii) health and safety experience and work practices and standards in the same or similar industries,

“(e) maintain and keep minutes and records of its proceedings and it shall make the same available for examination and review by an inspector or engineer.

“(5) It is the duty of an employer to provide such information requested under clause (e) of subsection 4 as is in his knowledge or possession.

“(6) An employer shall post and keep posted the names and work locations of the committee members in a conspicuous place or places where they are most likely to come to the attention of his employees.

“(7) A committee shall meet during working hours at least once a month or when either of the co-chairpersons or two or more members deem necessary, or whenever it is deemed necessary.

“(8) A member of a committee is entitled to such time from his work as is necessary to attend meetings of the committee and all time taken for committee work shall be deemed to be work time.”

Hon. B. Stephenson: What the hon. member for Nickel Belt has done effectively is to amend the entirety of section 4 from subsection 1 to subsection 7 and we do have some minor amendments to propose for subsection 3 and subsection 4(c). I am not sure how the Chair proposes to deal with the confusion and discombobulation which the hon. member for Nickel Belt has introduced, but be my guest.

Mr. Laughren: The confusion was not introduced by the member for Nickel Belt.

Mr. Reid: Just added to.

Mr. Laughren: That rests in the minds of the members of the committee. I would just say, if I might speak to the amendment, that we have done something that I think is terribly important—we have done two things actually. One is that we have made the com-

mittees mandatory and, two, we have put the onus on the employer to establish the health and safety committees.

Mr. Bullbrook: Mandatory in some circumstances.

Mr. Laughren: Well, 10 or more employees or any other time when it is deemed necessary.

Mr. Bullbrook: But that is not mandatory, “when it is deemed necessary.”

Mr. Laughren: But the point is, Mr. Chairman, that the thought of the minister mailing out letters to all places of employment across Ontario I think is not acceptable to us. It just puts the onus on the employer to establish health and safety committees, if there are 10 or more employees.

[4:45]

I think that that is an amendment that the minister should be able to live with. In the first instance, we were considering having the minister direct them to establish health and safety committees, but on very great reflection we decided that it would be better if the onus was on the employer to establish the committees. There is a section in the bill that allows existing committees to operate and, of course, that is what happens now. You will note in section 3 it says the members of the committee shall elect two of its members as co-chairpersons. That is what happens in many of them and they operate very well that way.

In our amendment where we outline the duties of the committee, there is a section in there that the minister will not be happy with, in which we say that the committee can establish and maintain programmes. I know that the minister is amending the existing bill so that the committee does not have that right. She sees the committee rather in an advisory capacity. We see it as being more influential than that. We see the need for safety and health committees, as time goes on, to obtain proper funding so that they can operate more effectively.

Throughout this bill, I might say to the minister, we have put greatly increased responsibilities on the health and safety committee. We have not said during this bill through our amendment that we want the health and safety committees to have increased authority without a commensurate increase in responsibility. We think that that is a good aspect of the bill. It is an indication that we believe workers in general are not frivolous and are not irresponsible. Cer-

tainly the message that came through during the submissions to the committee was the fears of the employers across Ontario that the rights in this bill would be abused and there would be frivolous and vexatious refusals to work.

We certainly do not feel that way. We have also included in the amendment in subsection 5 the requirement that the employer provide any information requested by the committee because we feel it is terribly important that this be done. We know, for example, right now that employers have information they are not sharing with the employees. Surely that should be required under this bill. Also the names and work locations of the committee members should be posted so that everyone knows who they are so that they can get in touch with them.

We have also said in subsection 7 that the committee should meet during work hours at least once a month or when either of the co-chairpersons or two or more members deem it necessary. They could have just had a meeting when an incident arose and the committee would feel they should meet. This would give that right to the committee.

Finally, in subsection 8, we feel that if a safety and health committee meeting started at 3 o'clock and the normal shift ended at 4 and the committee meeting went on until 5 or 6, the committee members should be regarded as working during those extra hours. For that reason we have included subsection 8 which would pay the members of the safety and health committee as long as the meeting was going on.

Mr. Bullbrook: I think nothing impressed me more during the currency of the standing committee hearings than the integrity of purpose and sincerity of all members in the concern expressed for every employee in the province of Ontario and for his or her health and safety. I want to say to you they didn't delineate whether that person worked for General Motors or was a mechanic or worked on Yonge Street in Toronto. They were concerned with the fact that the paramount consideration is not the numbers game but the health and safety of employees in Ontario.

I am going to say to the members of the New Democratic Party that I recognize they tried to come to some logical conclusion. I don't think you can have it both ways. You are concerned with the health and safety of employees, no matter the size of their employer, or not. This legislation has to be mandatory. It cannot be relatively manda-

tory. It cannot be comparatively mandatory. And the fact is this is not mandatory.

Mr. Duksza: I agree.

Mr. Bullbrook: The amendment that is proposed by the New Democratic Party delineates a criterion that's not acceptable to us in the Liberal Party.

Mr. Bounsall: Place your amendment.

Interjection.

Mr. Acting Chairman: Order, please. The member for Sarnia has the floor.

Mr. Bullbrook: I say to the member for Windsor-Sandwich, I wanted to talk for a few minutes. I'll place the amendment afterwards.

Mr. Bounsall: Place your amendment, we might support it.

Mr. Bullbrook: One doesn't have to become vicious and turn, through you, to others and say, what kind of crocodile tears did you shed in front of that organized unionism that came before us in the standing committee, when you all, collectively and individually, bled for the working man in Ontario? And now you're prepared to deprive those working men who work for employers with fewer than 10 employees of the benefits of this legislation. You can't have it both ways.

Interjection.

Mr. Bullbrook: The fact of the matter is this: Those committees have to be mandatory unless the employee is content with the structure of the present and existing health and safety committees. I want to tell you, I for one will not go along with this type of amendment. It removes the protection that should be there under this statute from a significant segment of the employees of Ontario, and I for one don't understand how the New Democratic caucus could have rationalized themselves into this position.

It's easy enough to say it's too much of an administration burden, but the fact of the matter is that this legislation should not be digested in the context of administrative burden. If the Ontario Federation of Labour were correct in their submissions to us, they said, in effect, this legislation doesn't go far enough.

If we're going to undertake that protection we'll undertake it to all, subject to this jurat only: that is, where those people in a work place are content with the existing function, any or all of them being not content, then the

minister should be obliged to impose the structure that's anticipated under this legislation. So when you talk about sending out 1,200 or 12,000 letters with respect to the legislation, I don't know how many there will be. I don't give a tittle how many there will be.

The fact is, happily, that in major industries in Ontario there has developed an existing liaison between employer and employee, on the business of health and safety. I saw tragic examples of it that my colleagues, especially those from the north, are much more acquainted with than I; but may I say that I like to feel that the majority of industries and the majority of trade unions in Ontario have undertaken a responsible reciprocity and liaison with respect to this. I know they have in my "chemical valley," in the area that I represent. They look with pride to the liaison that's taken place. And, frankly, they look with some degree of disdain and trepidation upon a structuring of a committee that doesn't have to be structured. But if any individual is not content with the protection they're getting, with the representation they're getting, with the effectiveness that they're getting, then that's the type of amendment we want.

I'm also concerned—and I've got to voice this, although it doesn't cause me nearly the concern that the first part does. I'm concerned about that old Diefenbaker validity; that is, when you attempt to delineate responsibilities, you sometimes forget some and you sometimes restrict the abilities of those people to whom you want to give significant and broad powers. It doesn't cause me that much concern because, frankly, the sub-heads seem to be almost all-embracing. I would have liked to have seen some sort of phrasing that would provide for a true generality in connection with their obligation, but I'm not vitally concerned with that.

I want to say I am just not prepared, notwithstanding the administrative problems, to relieve the government or an employer of responsibilities under this section, because of a judgement made with respect to numbers. I made that clear when we talked about it in principle and I'm going to close by saying I can understand the problems involved. I ask you to consider the amendment that I intend to propose. The amendment that I intend to propose will have the effect of two things: It will permit the continuation of the function of existing health and safety committees where all parties to the employment factor are content—

Mr. Chairman: We can't really discuss an amendment that isn't before us yet.

Mr. Bullbrook: I realize that.

Mr. Ferrier: When are you going to put it?

Mr. Bullbrook: I'm going to put it when I have the opportunity, but if you will bear with me, Mr. Chairman, and believe me, I think I have some validity here. I'm trying to point out the two basic weaknesses that I see in the NDP amendment. I'm trying to, not necessarily enunciate what my amendment is, but to point out what I would like to see. What I would like to see is, first, a lack of interference with an existing joint health and safety committee where all parties to the employment factor are content with the operation of the committee; and secondly, where any or all of them are not, that the minister must mandate a committee.

Mr. Laughren: Never let it be said that the New Democratic Party would oppose mandatory health and safety committees, period. If the member wishes to put that amendment, I offer him every encouragement. I would just point out that—

Mr. Bullbrook: On a point of order, I have been asked and I apologize to you—

Mr. Chairman: There is really nothing out of order, so there's no point of order.

Mr. Bullbrook: Thank you, but may I say this to you, by way of a point of order—

Mr. Chairman: There is nothing out of order, so there can't be a point of order. You will have an opportunity to speak as soon as I recognize you. We use points of order and points of privilege far too frivolously, both in the House and in committee. So if there is nothing out of order, there can't be a point of order. I'll recognize you as soon as the member for Nickel Belt sits down.

Mr. Bullbrook: Mr. Chairman, I appreciate that and I do appreciate the task that you undertake and your ability. I didn't realize that you were totally clairvoyant.

Mr. Chairman: If there is nothing out of order in the committee, there can't be a point of order. It's just as simple as that.

Mr. Bullbrook: I'd like the opportunity to put the point.

Mr. Chairman: The hon. member for Nickel Belt.

Mr. Laughren: Mr. Chairman, speaking to the amendment which I placed a few moments ago before you returned to the chair, it does state that committees will be mandatory in

places of work where they have more than 10 employees. When we drafted that amendment we were concerned about places of work where there were fewer than 10 employees, and that is why our amendment to section 6 of the bill includes places of work where there are fewer than 10 employees. So I would be quite willing to hear, and look forward, as a matter of fact, to hearing the proposed amendment by the member for Sarnia about mandatory safety and health committees, and I look forward to supporting his amendment if at all possible.

Mr. Bullbrook: I want to speak, not to a point of order, but I want to answer both my colleague from Nickel Belt and others who said, "When are you going to put the amendment?" I want to point out to him that I've been told by the chairman of the whole House that it is out of order to put three amendments in a row.

Mr. Chairman: You are absolutely correct.

Hon. B. Stephenson: Mr. Chairman, I think it is imperative that I rise to speak on at least the first part of the amendment proposed by the hon. member for Nickel Belt again.

Mr. Chairman: It being 5 o'clock, so that we don't encroach upon the time of the private members' hour, perhaps the minister might leave that over.

On motion by Hon. Mr. Welch, the committee of the whole House reported progress and asked for leave to sit again.

[5:00]

PRIVATE MEMBERS' HOUR:

LABOUR RELATIONS AMENDMENT ACT

Mr. Stong moved second reading of Bill 184, An Act to amend The Labour Relations Act.

Mr. Stong: The purpose of introducing an amendment to The Labour Relations Act, which creates a bargaining unit of hospital pharmacists, arises out of a decision of the Ontario Labour Relations Board wherein hospital pharmacists have been required to join a combined paramedical and technical bargaining unit.

Over a year ago an application for certification before the Ontario Labour Relations Board, specifically regarding the Stratford General Hospital, was initiated by both the

Association of Allied Health Professionals of Ontario and the Ontario Public Service Employees' Union. From the outset it was known to be a precedent-setting case, for here in this particular case, the Stratford General Hospital case, the OLRB was to decide if professionals and technical personnel were compatible in a total paramedical unit or whether two distinct units should be categorized: (a) professional and (b) technical.

The council of the Ontario branch of the Canadian Society of Hospital Pharmacists responded to the concern of its members and investigated all the avenues for representation at the hearing. Legal counsel was obtained and for one month pharmacy was the only professional society recognized by the OLRB to present evidence and cross-examine witnesses. The pharmacists involved—the single hospital pharmacist for the Stratford General Hospital—withdrawed her objection at the hearing for personal reasons, and so direct society representation was effectively blocked. However, the society was directed to present a brief to the board and this was done.

After five month of hearings and another four months to deliberate on the evidence presented, the decision of the OLRB was published on September 28, 1976. In short, the paramedical unit was awarded to OPSEU. The paramedical unit was defined in that decision to include occupational therapists, registered technologists, non-registered technologists, pharmacists, physiotherapists, registered technologists, radiological technologists—radiography and nuclear medicine, respiratory technologists, social workers, psychometrists, psychologists, charge technologists and clinical instructor—radiology.

The key issue resolved in this hearing indicated that there was not sufficient distinction between professional and technical personnel with respect to collective bargaining purposes. It is on the basis of that decision on September 28, 1976, that I introduced the bill to amend The Labour Relations Act setting up Ontario hospital pharmacists in their own distinct, single bargaining unit.

Pharmacy as a self-governing profession has had a long and distinguished history in the province of Ontario. The College of Pharmacy as a self-governing, licensing body, was first established in 1871 by The Pharmacy Act and the college began its teaching function in 1882. The teaching function of the college was transferred to the University of Toronto in 1953 when the faculty of pharmacy was created. The present educa-

tional requirements for pharmacists in Ontario are the attainment of the equivalent of the degree of Bachelor of Science in Pharmacy at the University of Toronto which is a four-year course, the successful completion of examinations prescribed by the pharmacy examining board of Canada and the completion of 12 months of in-service training. Today pharmacy is recognized as one of the senior health disciplines in Ontario under The Health Disciplines Act of 1974, together with medicine, nursing, dentistry and optometry. The code of ethics of the Ontario College of Pharmacists is a legally enforceable code, the violation of which can result in suspension or cancellation of a pharmacist's licence to practice.

The hospital pharmacist is a member of one important committee which does not contain members of the other disciplines, namely the pharmacy and therapeutic committee. In essence, the functions of the pharmacy and therapeutic committee are to select and approve the drugs supplied for use within the hospital and to develop policies related to the safe and effective use of drugs in the hospital. The functions of the committee are more comprehensively described in the hospital pharmacy profile, the Handbook for the Hospital Pharmacist, published by the Ontario Hospital Association.

It should be noted that aside from the hospital administrator the membership of the committee includes only members of the medical, nursing and pharmaceutical staff. By coincidence, the majority of the day-to-day contact that the pharmacist has with other hospital staff is with medical and nursing personnel.

The drug delivery system within the hospital is constantly being revised and updated by the pharmacist in conjunction with the medical and nursing staff and with management. The day-to-day operation of the drug delivery system is carried out by the pharmacist in conjunction with the doctor and the nurse. Practically every patient in the hospital is administered drugs in one form or another while, with the possible exception of the dietician, the services rendered by the other occupational groups are on a more selective basis.

By reason of those factors which I have already enumerated, the hospital pharmacist, it is readily realized, has a greater community of interest with the physician and the nurse than with any other group in the hospital including technicians. However, the physician employed in a professional capacity is excluded from any bargaining unit by

virtue of section 1, subsection 3(a) of The Labour Relations Act, and the registered nurses have, through a long history of collective bargaining, been granted the right to be certified independently from any other occupational group, even registered nursing assistants.

The educational training of the professional as opposed to the technical personnel is generally higher, usually involving a prolonged university training together with practical experience. This training is necessary in order to prepare the professional employee for the high degree of independence of judgement that must be exercised when the acquired skills are put into practice. A pharmacist, for example, must be prepared to make a substantial contribution to the development of general policies regarding drug selection, delivery and therapy. He must be prepared to select and substitute drugs generically for those prescribed by name and must be able to appreciate and remedy any error in prescription made by a physician.

As well, regulations under The Narcotic Control Act impose stringent recording and reporting conditions respecting the use of narcotics as defined in The Narcotic Control Act and as scheduled thereto. Under section 21, subsection 1(a) of the regulations, only a pharmacist or a practitioner authorized by the hospital may order narcotics. In practice, this function is performed by the pharmacist at all accredited hospitals.

Sections 23 to 36 of those regulations impose on a pharmacist strict requirements as to recording, reporting and use. The procedures imposed on the person who is in charge of the hospital by section 42 are in practice performed by the pharmacy department. The responsibility of this particular undertaking by the pharmacist is enormous. Carelessness or default on his part can produce embarrassment and censure, not only for himself but for the entire hospital administration.

With that in mind, and while the Ontario Labour Relations Board was conducting its hearing, the Ontario branch of the Canadian Society of Hospital Pharmacists conducted a survey in March, 1976, in which 320 written questionnaires were sent out and 110 were returned. Of those questionnaires returned, 98 per cent indicated that the hospital pharmacists wanted to be excluded from any bargaining unit. There was a follow-up telephone survey and it again was unanimous in

the fact that the hospital pharmacists wanted to be excluded from any other technical bargaining unit employed in a hospital. In fact, they wanted their own bargaining unit.

On November 19 I asked the Minister of Labour with respect to this decision as to what the attitude of the ministry was with respect to a combined paramedical and technical bargaining unit, and what she intended to do to preserve the independence and professional status of these pharmacists. Her answer was that the pharmacists were not the only group affected by this decision. She recommended that they go to the Ontario Labour Relations Board for a review of their case. I asked a supplementary question with respect to guaranteeing their right to a separate bargaining unit. Again the minister's answer was basically that they go to the Ontario Labour Relations Board to have their right determined.

In a 61-page decision handed down on September 28, 1976, the Ontario Labour Relations Board denied the professional group, called the Ontario hospital pharmacists, the right to their own bargaining unit. This professional group was lumped with the technical bargaining unit already in existence in the hospital.

Their legal avenues had been exhausted and there was no remedy for this professional group to appeal this decision. They could not go back to the Ontario Labour Relations Board; it had significantly decided the issue in a 61-page document. The only remedy that this professional group, called the Ontario hospital pharmacists, has is in this House. The decision must be determined in the Ministry of Labour. Hence, as a result of the answers that I received on November 19 to my questions of the minister, I introduced a bill, entitled An Act to amend The Labour Relations Act, which, if passed, will effectively create a bargaining unit consisting solely of hospital pharmacists and shall be deemed as a unit for the purposes of collective bargaining under The Ontario Labour Relations Act.

This is not a sole and single piece of legislation that stands on its own. In fact, it follows very closely upon the wording of the professional engineers, who are a professional body that has special recognition under The Ontario Labour Relations Act and has been given its own collective bargaining unit under that Act by special legislation. This particular piece of legislation proposes and purports to do exactly the same thing for that professional

body of Ontario hospital pharmacists. In that respect, I introduce this bill for this House's consideration.

Hon. B. Stephenson: The decision of the Ontario Labour Relations Board regarding the hospital pharmacist at Stratford General Hospital has certainly raised a great deal of concern within allied health professional groups within this province and I think, with some good reason. However, that decision applied specifically to one hospital situation only. It does not necessarily apply to hospital pharmacists in other institutions throughout this province and it should not be construed as a situation which does apply in all other hospitals or other institutions in Ontario.

[5:15]

The arguments which were put forth before the Labour Relations Board at that time convinced the members of the board who, I would remind the members of this House, represent both the public, management and labour and have a great deal of expertise in the area and broad experience in determining which bargaining units should exist, of what composition they should be and, at times, how they should function.

In the Stratford General Hospital situation, all the duties of the allied health professionals or paramedicals or paraprofessionals were examined separately and in relationship to one another. It was found by the board that there was no factual situation which distinguished among them since, to a greater or lesser degree, all in the group required some specialized post-secondary education. They were represented by associations which had standards and codes of ethics; had identifiable forms of accreditation; and worked as teams under the general supervision of physicians. The board found unanimously, "All of the occupations have made sufficiently significant progress along this path of professionalism that no one occupation or a group of occupations can claim a unique or distinct community of interest in this regard, at least for the purposes of The Ontario Labour Relations Act."

The board specifically found that for labour relations purposes none of the groups had a unique or separate interest or community of interest and there was no collective bargaining justification for separating the various professional and paraprofessional groups.

In so finding, I would remind the House that the board rejected the findings of the Johnston commission which was a special inquiry into hospital bargaining structures. I think that report has been tabled in the

House but I am not sure of that. That commission in 1974, after studying the whole situation, recommended an even broader grouping than the board actually decided upon. I will quote from the Johnson report, in which he puts together pharmacists, dieticians, physiotherapists, occupational therapists, psychologists and social workers. "These groups are directly concerned with the mental and physical rehabilitation of patients."

With that kind of definition and with the careful examination of the relative roles of the paraprofessionals or of the allied health professionals; with a very careful assessment of their relationships to one another and particularly their relationships to the treatment of patients within the institution, I think it is reasonably understandable that in the incident of the Stratford General Hospital the board felt it supportable to include the hospital pharmacists within that bargaining structure.

I think it's wise and honest to say that the most comprehensive bargaining unit is not necessarily the best bargaining unit. One which encompasses every single worker in an establishment is not necessarily best for all workers in that establishment. I believe that the board recognized this and there are provisions in some new portions of the Act designed to bring order to the system whose problems are related to a proliferation of bargaining units.

In this province we have had a gross proliferation of bargaining units in many situations, some of which we are trying to correct, as the members of this House are well aware, with Bill 176. In this bill, we are hopefully going to consolidate the bargaining units of the construction industry in this province in a way which will ensure that there is an increase in harmony and an improvement in the relationship between employers and employees.

But comprehensiveness is not necessarily best. I believe very firmly that if the hospital pharmacists per se and their fellow professionals—all other pharmacists who must have, I would believe, some real concern for their colleagues who happen to function as hospital pharmacists—if those two groups were to act together and were to appeal the decision of the Ontario Labour Relations Board, it is entirely possible that a change might be made. But I believe that the decision of the board was made logically and rationally with a careful examination of all of the information provided for it, with a very careful examination of the role of the pharmacist in today's society, which is not

exactly what it was 40 years ago and which I hope will be very much different within the next 20 or 30 years.

I do hope sincerely that it will be possible for a pharmacist in all practising areas to return to a greater degree of active participation in the treatment of individuals and accepting a greater degree of responsibility for the treatment of individual patients as well, than is possible right at the moment, given the advances in medical science, the advances in pharmaco-therapeutics and the limitations which have been placed upon the profession of pharmacy, not only in this jurisdiction but throughout the entire western world. However, I do believe that if there is real concern amongst pharmacists as a whole for the fate of their fellow professionals who happen to be functioning in hospitals, they indeed have the opportunity at this time to band together to appeal the decision of the Ontario Labour Relations Board in a way which could be effective on behalf of the pharmacists.

On the other hand if indeed it is construed by the pharmacists that their best hope for an improvement in their lot within today's society is through collective bargaining then I would suggest to them that probably they should allow the OLRB decision to stand for a period of time to find out factually whether this participation in an active bargaining unit related to a specific hospital will benefit the pharmacists who happen to be affected by it. I'm sure it is going to be of benefit to some other technicians who are included in the group and to some paraprofessionals, allied health professionals. The pharmacists may, in fact, be recipients of equal benefit as a result of the decision which was made in September of this year. It is difficult for the profession of pharmacy to at this time make a judgement about that without the experience of inclusion within the bargaining unit over the term of one or two contracts. Perhaps it would be better for them to wait for that period of time.

If they feel strongly, however, that indeed their professionalism is being aborted by this quasi-legal decision on the part of the OLRB, then they do have legal recourse available to them and, with the help of their brother or sister professionals, I'm sure that they can achieve the kind of appeal mechanism which is necessary.

Mr. Bounsall: This is one of those bills which, if the rules are changed—and I believe that is under discussion by the committee investigating the Camp commission reports—such that private members' bills would

come to a vote in the House, as is contemplated I think in the future, this bill would carry. It certainly leaves all avenues open with respect to hospital pharmacists and doesn't cause them to do anything except what they should wish to do.

The bill allows them to form their own union consisting solely of hospital pharmacists or, if a majority of hospital pharmacists at a particular hospital wished to join the bargaining unit already there or about to be formed there, no matter what that unit would be, Association of Allied Health Professionals of Ontario, or the Ontario Public Service Employees Union, or Canadian Union of Public Employees or the Service Employees Union, whatever group is organizing the rest in the hospital, they are allowed to do so according to this bill. So the full choice rests completely with the hospital pharmacists. They are free if the majority of them wish to join any of the other four units which are organizing in a particular hospital or if they wish to say "No, we have a union of hospital pharmacists in Ontario and we want them to represent us," they can stay in that situation. The bill is one which certainly brings no disadvantages with it and places all the decisions squarely in the hands of the hospital pharmacists, where a decision of this sort should be. There's nothing in this bill at all that we cannot support.

I might say, in looking at the situation, I think that with a professional pharmacists' association or a grouping of a union of hospital pharmacists to represent all the various and different hospitals around Ontario, some of them with perhaps only one hospital pharmacist to represent them adequately to the hospital is going to be a little difficult but it is certainly not an insurmountable representation; in any event, however, that's for the individual hospital pharmacist or group of pharmacists to decide.

If we have a particular single pharmacist in one small hospital, that pharmacist can decide whether or not he wants to commune with his professional union of hospital pharmacists and get from them what he should be saying at the bargaining table with the employer, the hospital, or he can join whatever union the other technical employees of that hospital belong to. That's certainly flexible and leaves the choice up to pharmacists. I would think it might vary from hospital to hospital, as one goes across this province, as to which route the individual pharmacist or group of pharmacists in those

hospitals decides to choose; so there's nothing particularly wrong with this bill.

The remarks of the Minister of Labour cause me some concern. She speaks of allowing this particular decision to sit on the books for a while so we can see how it works out and so on before the board, hopefully, will make another decision. But the way organizing is proceeding apace in this province with respect to the technical and professional people in hospitals, I would expect that there would be another application before the board fairly shortly that would involve pharmacists' groups. The minister's hope that we would see how this would operate down at Stratford for perhaps a year, or maybe even as long as two years, before another decision of this type would have to be made by the board, I believe is unrealistic.

Secondly, it is a bit of an anomaly that pharmacists should be included per se with the other groups at Stratford in which they were included. Here again the representation by the one pharmacist there was withdrawn for personal reasons. I don't know what those were. Of course, I haven't inquired, but the pharmacists couldn't have been too upset one way or the other as to where that particular pharmacist ended up.

The problem with the Labour Relations Board decision is that it tends to be taken as a precedent. This is what most concerns the pharmacists in the hospitals in Ontario, that in Stratford they made a decision in a certain way. The minister outlined the reasons they gave for that decision. Again, those reasons sound fairly reasonable in many respects. They said that all of the groups which they were going to consider have some background training, have some post-secondary education. She implied, in the Stratford situation, that particular hospital pharmacist was not directing any of those other employees in the bargaining unit with which they were associated. Well, that may well be. In other hospital settings in Ontario, it might well be that the pharmacist or pharmacists at those hospitals do direct some of the employers in the group in which they would be included and, therefore, before the Ontario Labour Relations Board they would be able to make the argument that they are semi-supervisory in that sense. Therefore, that would be breaking from the precedent set here, but that would have to be very strongly argued once the precedent has been set with Stratford for inclusion.

I would suggest that it's a very clear, straightforward bill which leaves the decision so clearly open to all the pharmacists that

there's nothing much to be debated; certainly nothing much to criticize in it. I regret in this instance that this bill will not be coming before a free vote of the House for passage or otherwise, because in this instance I would predict that this would clearly pass. Thank you.

[5:30]

Mr. Conway: I take a great deal of pleasure in rising in support of my colleague from York Centre who has had the wisdom and clearheadedness to bring this anomalous position to the attention certainly of the government and of the assembly at large.

I think it augurs well for his perceptions, political and otherwise, that he, representing that great constituency of York Centre, as he has in so many other matters, focused our attention on something of real political import. He talked in his initial remarks about the importance of pharmacy. I speak with some conflict of interest because we have a pharmacist in the family, but my good friend from Nipissing (Mr. R. S. Smith), and I believe the good member for York West (Mr. Leluk), as members in this assembly represent all that is important in the pharmaceutical profession of one kind or another. I can speak certainly about the good member for Nipissing, who adds a particularly important dimension to what makes pharmacists important.

Mr. B. Newman: Finest of the fine.

Mr. Conway: The member for York Centre also, I think, expressed the chagrin of this particular party at the Minister of Labour's non-answer when this question was directly put to her in question period, November 19, 1976, and he has, I think clearly outlined how some of her answer is, in fact, just not practical in this particular instance. I was also impressed with the sweet reasonableness, unusual as it is—and I must underscore that—from the member representing the loyal opposition, in this particular case the member for Windsor-Sandwich, who brought I thought a very reasonable approach to this particular piece of legislation.

Mr. Mancini: Not too often he does that.

Mr. Conway: I, like the member for Windsor-Sandwich, would certainly like to see this particular bill brought to a vote in this assembly at this point in time, because I think we could certainly correct the situation which has led to this unfortunate occurrence and really the need for the introduction of Bill 184. I think the member for Windsor-Sandwich made some good points, particu-

larly that the business of Bill 184, while solving the particular problem, leaves the avenues open in terms of future possibilities; that it is not a really tight-fisted and ironclad piece of legislation that would set precedents that would be unfortunate and untenable in future decisions, but rather specifically concerns itself with the business of the hospital pharmacists as a bargaining unit and leaves them the choice, quite frankly, as to what they want to do in particular instances as well as leaving the option open to other groups in other areas as their own collective bargaining is concerned.

I wanted, like the member for York Centre and subsequently the member for Windsor-Sandwich, to make one or two comments about what the minister had to say, not only in response to the question of November 19, but also to her rather interesting and unfortunately directed remarks this afternoon about the necessity and import of Bill 184.

I was quite surprised to hear someone as well versed not only in matters of labour but also of the health disciplines business in Ontario as the member for York Mills and now Minister of Labour, say that the OLRB decision was in fact local to the Stratford decision and we need not be concerned about the application otherwise. Clearly that is the kind of logic that brings her into a community of interest with the Attorney General. It is very surprising that anyone, certainly representing the Ministry of Labour, could make that decision, because as was pointed out by the previous speaker there is a precedent here that is important and that will certainly, I think, provide the basis for many decisions in the future, and that surely is what the hospital pharmacists who have corresponded with me, and I know with many other members of this assembly, are very concerned about.

Certainly it is a local decision in the Stratford case, but it is the first major decision of this kind relating to the hospital pharmacists, and they are concerned about the precedents that it may have and the import of the precedents in this particular instance. To hear the Minister of Labour say this afternoon that somehow that decision is only local and we really shouldn't be concerned about its broader application is, I think, very misdirected and unfortunate to say the least.

In her response to the member for York Centre she mentioned that if there is any real concern on behalf of the Ontario branch of the Canadian Society of Hospital Pharmacists, then clearly they might take certain avenues of appeal. I know the good member for York

Centre, with many others in this House this afternoon, will certainly agree with me when I say that the position in the correspondence from the president, in this case, of the Ontario branch of the Canadian Society of Hospital Pharmacists, makes it abundantly clear that that particular group has a genuine and real concern about the import of the Stratford decision. Because of the fact that the Minister of Labour somehow suggested there may not have been concern, or prefaced her remarks with the words, if there were any real concern, I just wanted to pick up that point. It's my clear understanding from the hospital pharmacists not only in my riding who have corresponded with me, but from those many other people who have expressed their concern to other members of this Legislature that there is real concern. I think it's about time that that real concern visited itself upon or at least was acknowledged by the Minister of Labour.

Thirdly, in her remarks she indicated that perhaps the professionalism of the hospital pharmacists was being called into question. I think her remarks to the member for York Centre were something to the effect that "if hospital pharmacists somehow feel their professionalism is being affected in this regard." I don't think there's any if about it at all. Hospital pharmacists have made it very clear, as the member for Windsor-Sandwich indicated as well, that they do sense their professionalism is being compromised in this particular instance. I'm sure they would not be appreciative of the suggestion made here this afternoon by the Minister of Labour that this professionalism is really not at stake in this particular instance.

I wanted to take a brief moment to summarize the five points that the executive of the Ontario branch of the Canadian Society of Hospital Pharmacists have outlined as the basis of their strong objection to the situation in which they now find themselves as a result of the Ontario Labour Relations Board decision affecting the hospital pharmacist in Stratford. I quote from a letter directed to me by Mrs. Reta Fowler, president of the Ontario branch, dated November 17, 1976. In that letter, which I'm sure many members of this assembly received, Mrs. Fowler states:

"Our members have strong objection to this decision"—meaning the OLRB decision—"for the following five reasons. Firstly, the Labour Relations Board has relied heavily on recommendations of the report of the hospital inquiry commission of November, 1974, also called the Johnston report. This report was not given reading in Parliament and there has

been no opportunity to object to the recommendations contained therein.

"Secondly, hospital pharmacists do not have a sufficient community of interest with technical staff to warrant inclusion." That point has been addressed to very eloquently by earlier speakers this afternoon. "Thirdly, because we hospital pharmacists have completed the evolution of professionalism as defined in this decision and are recognized as a member of the five senior health disciplines under The Health Disciplines Act, I do not agree with the inclusion of hospital pharmacists in the broadly-based technical unit.

"Fourthly, the functions of the hospital pharmacist reviewed at this hearing and the job description quoted in this decision are not representative of hospital pharmacy practice in Ontario today." That becomes extremely important. If the peculiarities of the local situation to which this OLRB decision is directed become a precedent, as I suspect might be the case, then I think point number four and perhaps the relative irrelevance of the Stratford situation for the overall application become significant indeed.

Mr. Speaker: Thirty seconds.

Mr. Conway: Finally, in point number five the letter says:

"In the daily course of our work we supervise technical staff in the performance of routine functions and are of the opinion that inclusion in the same bargaining unit would severely impede this function."

Those are five clearly articulated, obviously important and eminently recommendable suggestions that make Bill 184 a very important piece of public business. Together with all members of the opposition, I recommend it strongly to an unsuspecting Minister of Labour in this case. I hope she begins to realize that this is a situation of importance and of immediacy.

Mr. Shore: Mr. Speaker, I, too, would like to join with my colleagues in the House in speaking on Bill 184 and to congratulate the member for York Centre for his wisdom and thought in bringing this forward.

I, too, believe it would be good if we could have the free vote the member for Windsor-Sandwich suggested. If and when it comes, this bill probably would be passed in this House.

I take this opportunity to suggest to the Legislature and to the members of this House that although I have no conflict like the member for Renfrew North has—

Mr. Conway: Your conflict becomes apparent after the fact. I have the courage to admit it.

Mr. Shore: That's right; he doesn't even know how many seasons there are. Do you want to take another few minutes? We also receive letters in London, Ontario, too. I think it's important—

Mr. Conway: The question is can you read them?

Mr. Riddell: It was about those letters.

Mr. Ruston: Changing colours, you mean; colour guard.

Mr. Speaker: Order, please. The member for London North has the floor in a time-limited speech so he should be allowed to continue.

Mr. Shore: As a matter of fact, I might say that many of the letters have been very congratulatory, not only of my support of this bill but of other things I've done of recent vintage. I am very pleased about that. I know you'll be glad to hear that over there.

Mr. Mancini: I heard you were for Hallowe'en.

Mr. Gaunt: You have got to be kidding.

Mr. Shore: That's right. I'm glad you brought that to my attention.

Mr. Gaunt: They tell me you change colours as often as a chameleon.

Mr. Conway: How do you spell chameleon?

Mr. Speaker: Order.

Mr. Shore: I think the member for Huron will be interested in knowing that the phone calls of recent vintage have been immensely great in support of what I've done. I'm glad we brought that out.

We also received letters from many constituents on the matter of this bill and although the member for Renfrew North has a conflict in the case, the only point I wish to bring out is that many constituents in my area are involved in the pharmaceutical profession. I think I'd like to put on the record probably a repeat of the letter he spoke of, which is from the many constituents of my area who have given good reasons, I believe, why sound thinking should go into this concept. In summary, what they are saying is they feel very strongly that their profession is somewhat unique and they should be given the right to speak on their behalf.

The other important point, I think, is that many of the people in this profession are in a supervisory capacity and may be giving supervisory advice and guidance to technical units.

I think those points that the member for Renfrew North brought up—even though he was in conflict—are very valid and should be considered seriously.

Mr. Mancini: Start bringing up your accounting firm.

Mr. Shore: While I have the opportunity of speaking on this bill, I think it is important that I also have the opportunity of reading some of the submission of the Ontario Labour Relations Board. I don't think we should lose sight totally, on behalf of the pharmacists as well, that there are other professions involved here also; namely, the professional units comprised of physiotherapists, social workers, psychologists, psychometrists, occupational therapists and all these groups of people.

We have to be very cautious, I think, on behalf of any and all of these groups, that we don't dissect them to such an extent that we lose the effect of what collective bargaining is supposed to be about; and that we don't get the effect of a leap-frog process within the whole labour relations manner. As a matter of fact, many members are going to be speaking on this later on when Bill 176, I believe it is, comes up. The whole purport of that bill—and the member for Renfrew North may be thinking of it—is to try to unify some of these things, rather than to put them into a case of conflict.

I think we've got to be very careful that we don't lose sight of that when we are dealing with this subject.

The member also stated that the minister pointed out that maybe the Ontario Labour Relations Board's decision is not binding on other groups which may want to put forward. I think it should be understood that, in fairness, one of the reasons is that maybe these pharmacists should recognize that rather than having a statute on the books which is totally binding, maybe they are better off. Maybe these other professions might be better off in at least recognizing the decision on an individual basis. I'm not suggesting it should.

[5:45]

Mr. Conway: Which is it? Come on.

Mr. Speaker: Order please. Order please.

Mr. Shore: In relation to the—

Mr. Conway: Five minutes on this and five minutes on the other side.

Mr. Shore: That's right. I had some good training on that. I had some terrific training.

Mr. Ruston: We know all about that.

Mr. Conway: One more step will put you in the gallery.

Mr. Shore: As a matter of fact they should take a look if they get a chance—all of them. Take a look at the December 7 debate on The Corporations Tax Act. It's just great; it's good stuff.

Mr. Conway: Is that your speech condemning the Treasurer? Is that the one where you ripped him off?

Mr. Shore: The member will enjoy it. It's good midnight reading for a young fellow like him.

Mr. Ruston: That's when I go to sleep.

Mr. Shore: I think, Mr. Speaker, there's a lot of good material here. I think it should be supported and I think these points are validly brought forward. Thank you very much.

Mr. Duksza: The member for York Centre has an interesting Act, which I support. At first glance it appears he's supporting someone's rigid concept of professionalism, but after looking through that fairly short Act I perceive there are certain implications in it which I will discuss a little later.

The pharmacist has an interesting and important role in the functioning of the hospital. I had experience of this when I worked in a mental hospital. The pharmacist's role was enormous in a large hospital.

Mr. Mancini: Was the member for London North there?

Mr. Duksza: But the major difficulty has always been that the pharmacist is not recognized for the role he plays in a hospital. He is always on the periphery and it's possibly related to the present structure of the hospital. The pharmacist is on the periphery as are a number of other health professionals. At the moment it is the same for pharmacists or lab technicians or nurses. The structure is organized so that the centre of power is largely in the hands of one profession, and this led to many difficulties in the hospital.

Obviously one has to move sometime towards rectifying this concept. Its rectification is essential for hospitals in terms of good care,

in terms of programming, in terms of budget-making decisions. Almost everyone in the whole hospital—professionals, paraprofessionals and anyone else—should have a say in the decision-making in hospitals.

I wonder if the member for York Centre realized something when he was introducing it. As I said, the bill on the surface appears to support largely a more rigid concept of professionalism. It does allow pharmacists both to involve themselves in a larger unit, which gives them some power in dealing with the power structure of the hospital, but also allows them to escape if they want to. I wonder if you realize, to return to my point, that in effect he was striking a tiny blow for industrial democracy. It is not the reading maybe which many people would see—

Mr. Conway: Oh, we are great democrats over here.

Mr. Duksza: Not many people would see this interior reading in this Act, but I do perceive it and I congratulate the member on it. It is obvious in that first step that he has done it. He suggests that the hospitals should be governed more directly by a group of people—

Mr. Conway: The revolution is next.

Mr. Shore: They want you over there.

Mr. Duksza: —by all the workers who are involved in it.

Mr. Warner: He is not used to changing.

Mr. Conway: Is that democratic socialism or socialist democracy?

Mr. Duksza: There is this striking suggestion in it: That not only the physicians but the other professionals should participate at all levels—including administration and the committees—even the medical advisory committee. There is no reason at all why medical advisory committees should only be composed of physicians. The pharmacists and others should participate more fully.

We should probably go much further, and I think it's implicit in this Act. Maybe all the structures in the hospital should have elected membership from anyone who works—specifically, of course, people like the hospital workers, nurses and others.

I don't want to prolong this speech. Many people have already made a number of very significant statements. I just want to congratulate again the member for York Centre and to end up by saying that it's so nice someone on that side, maybe without fully knowing it, has struck this tiny blow for industrial

democracy, in effect moving us towards this New Democratic socialist approach tonight.

Mr. Sweeney: Just for about a minute or two, I want to stand and support my colleague in this bill for two reasons. The first one is to show the consistency of our position from another private member's bill that was introduced by this party just a few weeks back. The basis of consistency at that time, of course, was that the public health nurses had appealed to us as members of the Legislature to let them make their own choice as to the direction of negotiation.

In this particular case, we've got another group of health workers in this province who are once again appealing to all members of this House through their various mailings that they also be allowed to make certain private and personal and individual choices as to how they're going to be involved in the negotiations which affect their lives. Just as at that time we supported the public health nurses, so also at this time we want to go on record as supporting the hospital pharmacists. We believe that is part of the negotiating democracy which we also support.

The second point I wish to make is just to suggest to other members of this House that the hospital pharmacists occupy a rather unique position in the total health care picture of this province. If we consider that the doctor's decision is probably the most fundamental one as far as the patient is concerned in terms of what shall be done and in terms of actually making the decision as far as prescription is concerned—and of course, they operate within a unique group—the nurses in the hospital also have a very peculiar position because they are the ones who treat and deal directly with the patient and apply in many cases the decisions which the doctor makes, and they also have a very unique group.

When we get beyond those two, there really is one other group that has a very peculiar and a very special place with respect to the patient, and that is the pharmacists. The way in which they carry out the decision of the medical doctor in terms of the prescription that's going to be supplied, the amounts that are going to be given, the process of seeing to it that it's delivered to the patient and the directions are carried out, means the matter of life or death of the patient is involved here.

We have the doctor on the one hand, the nurse on the other, and the third member of that triangle is the pharmacist, who plays a

critical role in the whole issue of the life and death of the patient. I think that we should, because of that relationship, take a very close and very particular and very different look at the pharmacist compared with the other paramedical groups that are being listed here and of which it has been decided they should be a part.

Finally, I would point out that the hospital pharmacists in fact to a large extent are responsible for supervising members of the paramedical and technical staff, and we should always be very careful about keeping those two groups too closely together. There has to be a relationship between those who supervise and those who are being supervised, and this is a point which the pharmacists themselves feel is rather significant. I am not one who has any direct awareness of that relationship, but if it is one of which they feel we should take cognizance then I think it is incumbent upon us to bear some witness to what they are saying.

So for these three very simple reasons I support the bill introduced by my colleague and hope that other members of the House will do likewise.

Mr. Mackenzie: Mr. Speaker, I too support the bill.

Mr. Conway: That is a change.

Mr. Mackenzie: It allows for the individual—

Mr. Conway: Say that louder.

Mr. Mancini: How come you didn't support the nurses?

Mr. Mackenzie: It allows for the individual's right to have his own bargaining unit or to be part of a larger bargaining unit, and I think that has to be kept in mind in this brief debate. However, I fail to see how we can compare a bill concerning compulsory arbitration, regardless of the problems that led to it, with one that allows parties the right of their own bargaining unit. I just can't put those two together as comparable positions.

Mr. Sweeney: Neither can your colleagues. Tell that to the nurses.

Mr. Mancini: Right. Tell that to the nurses.

Mr. Mackenzie: I would suggest to the member for Renfrew North that the situation in Stratford—including the pharmacists in the

unit—should be no surprise, simply because any organizer worth his salt is going to cover everybody possible in the unit and exclude as few as possible. I always have some reservations about any attempts to—I look at a bill like this first to find out whether there is any attempt to fragment a unit, because seldom is it in the interest of the workers to fragment a unit. However, I feel pharmacists have their own self-discipline, just as doctors, nurses and optometrists do—and there is probably good cause for it—as long as the provision is left in the bill, as it is, to become part of a larger bargaining unit, if that's what they so desire. On that basis, I really see very little problem in supporting this particular bill.

Mr. Speaker: Do any other hon. members wish to speak to this bill? If not, this order of business is now concluded.

Hon. B. Stephenson: Mr. Speaker, I would ask for unanimous consent to revert to motions at this time.

Mr. Speaker: Is there unanimous consent to revert to motions?

Agreed.

Mr. Conway: For Bette we'll agree to anything.

MOTION

Hon. B. Stephenson, in the absence of Hon. Mr. Welch, moved that the report of the Workmen's Compensation Board for the year ended December 31, 1975, be referred to the standing resources development committee for consideration, such consideration to be reported by Hansard and printed as an appendix to the daily House Hansard; and that the committee have authority to sit concurrently with the House.

Motion agreed to.

Mr. Conway: You will be here till New Year's. For ever and a day.

Mr. Speaker: The committee will be meeting in committee room 2 at 10 tomorrow morning, I understand, for the information of the members here.

EMPLOYEES' HEALTH AND SAFETY ACT

Resumption of the adjourned debate in committee of the whole House on Bill 139, An Act respecting Employees' Health and Safety.

The House recessed at 6 p.m.

APPENDIX

(See page 5635)

Answers to questions were tabled as follows:

140. Mr. Duksza—Inquiry of the ministry: I. Inasmuch as OHIP does not require a perfect one-to-one match between subscriber numbers when validating claims, can the minister assure the House that OHIP has not paid for: (i) A female sex-specific operation in a male; (ii) a male sex-specific operation in a female; (iii) two appendectomies for the same patient; (iv) a total hysterectomy for the same patient more than once? Can the minister in fact assure the House that the OHIP subscriber files have been purged of duplicates?

II. Inasmuch as OHIP allows physicians to submit multiple claims on the same form, can the minister assure the House that OHIP: (i) Maintains records of the number of physician claims by physician by day, in an effort to assess the reasonableness of such claims; (ii) compares ICDA codes for services provided by physicians in an effort to detect multiple billings for the same diagnostic procedure on the same day; (iii) does not approve payments for periodic services (total physical examinations, et cetera) more frequently than the OHIP guidelines allow?

III. Can the minister assure the House that the costs of microfilming OHIP claims were less than the cost would be of storing them, fully coded, on magnetic tape or disc?

IV. What were the costs in the calendar years 1971, 1972, 1973, 1974 and 1975, of: (i) Printing and prenumbering physicians' claim cards; (ii) key editing claims on the Mohawk key-to-tape 132 stations or similar equipment; (iii) any other key punching or editing services; (iv) microfilming of claims; (v) mailing of claim forms and remittance advices to physicians; (vi) the operation of OHIP district offices per capita for the subscriber population served for each relevant year; (vii) printing and distributing medical secretary's handbooks and physician and hospital indices; (viii) the coding of ICDA codes? In this connection what were the error rates associated with: (i) the coding of ICDA information (were these codings cross-validated); (ii) the key-editing of claim information (were those codings cross-validated)?

V. For each of the following classes of computer processing, what were the total costs of (1) computer programming; (2) CPU time; (3) I/O waiting time; (4) computer printing or card-punching; or (5) correct times, during the calendar years 1971, 1972, 1973, 1974 and 1975: (i) Processing of claims to file; (ii) on-line storage of data sets; (iii) compiling new programmes; (iv) modifying existing programmes; (v) compiling existing programmes; (vi) debugging existing programmes; (vii) retrieval of information from existing files? What were the costs of rental or purchase of any data processing equipment (i.e. key editors, IBM 2741 terminals, CRT, et cetera) by machine type and number of machines? Where a service is uncosted, what were the gross utilization statistics by class of service in kB hours or other similar standard units?

VI. What were the rates of rejection of claims per 10,000 claims for the calendar years 1971, 1972, 1973, 1974 and 1975? What is the predicted rate for 1976 and 1977? On what is this estimate based?

VII. In the calendar years 1971, 1972, 1973, 1974 and 1975, what funds were recovered by OHIP through: (i) Computerized cross-checking of claims; (ii) manual assessment procedures; (iii) specialized studies of specific practitioner practices; (iv) other means?

VIII. For each of the calendar years 1971, 1972, 1973, 1974 and 1975, what was: (i) The range of total payments under the plan to each class of practitioners (i.e. family practitioners, surgeons, paediatricians, internists, neurologist, psychiatrists, dermatologists, anaesthetists, orthopaedic surgeons, plastic surgeons, neurological surgeons, obstetricians and gynaecologists, urological surgeons, ophthalmologists, otolaryngologists, pathologists, radiologists,

medical geneticists, optometrists, and chiropractors); (ii) what was the arithmetical mean; (iii) what was the standard deviation; (iv) what was the mode and the median; (v) what proportion of these payments fall into intervals of less than \$10,000; \$10,000 to \$19,999; \$20,000 to \$29,999; \$30,000 to \$39,999; \$40,000 to \$49,999; \$50,000 to \$59,999; \$60,000 to \$69,999; \$70,000 to \$79,999; \$80,000 to \$89,999; \$90,000 to \$99,999; \$100,000 to \$199,999; \$200,000 to \$299,999; and \$300,000 or more; (vi) what was the Gini Index for payments to each class of practitioner and for all practitioners; (vii) what was the mean, mode, median and standard deviation for payments to each class of practitioner, for (a) those in solo practice; (b) those in non-clinic group practice; (c) those in clinics; and (d) those associated with teaching hospitals? What were these figures for those in urban and those in rural areas?

IX. For each class of practitioner for each year, what was (a) the number practising under the plan; and (b) the total amount paid out by age, sex and number of years since; firstly they began practising medicine, and secondly since they began practising medicine in Ontario?

X. For each class of practitioner, for each year, what proportion of all such practitioners in Ontario are practising under the plan? For each of these, what proportion of their total income is, or was, paid through the plan?

XI. For the calendar years 1971, 1972, 1973, 1974 and 1975, what were the total number of claims by ICDA and the type of service provided? How did these break down by classes of practitioner?

XII. For each line item of the OHIP Estimate (1976077), what proportion of the estimated cost is ascribable to preventive medicine or public health measures, and what proportion to diagnosis and treatment of disease? How do these proportions compare to those actually incurred in all previous budget years, beginning with 1971?

XIII. What proportion of its total projected budget does OHIP anticipate spending on research?

Answer by the Minister of Health (Mr. F. S. Miller):

I. (i) Yes; sex indicator programmed against specific procedures codes; (ii) yes; sex indicator programmed against specific procedure codes; (ii) yes; if billed under the same OHIP number for the same participant within a seven-year period (governed by Rule 2040 and the purge exception table); (iv) yes; same as I(iii); yes; there is a routine procedure for purging duplicate files.

II. (i) Yes; information available from computer produced profiles; (ii) diagnostic code check not required (Rules 1000 and 1010 check for duplicate billings by comparing procedure codes on same day); (iii) yes; governed by Rule 1230.

III. Since a claim card is a legal document, retention is essential. Microfilm is the best way to produce a copy of the original document. Storage on magnetic tape or disc only produces the information that was key-taped, which may not always be the same as that on the original document. Comparable costs between these storage methods is not a relevant issue under these circumstances.

IV. (i) Cost for printing physicians' claim cards for calendar year 1975 only, other years not available: 1975—\$262,056.38; (ii) cost for key editing claims; 1971—OHIP non-existent. OHSIP claims were keypunched by the staff of HIRB (Health Insurance Registration Board); 1972—nine months beginning April 1, 1972, \$551,200; 1973—\$732,500; 1974—\$695,900; 1975—\$520,580; (ii) none available; (iv) costs, microfilming of claims: 1971—\$86,268.84; 1972—\$113,619.25; 1973—\$148,107.57; 1974—\$178,137.57; 1975—\$221,247.22; (v) mailing costs of claim cards and remittance advices to physicians, for 1975 only, other years not available: remittance advices—\$39,600; claim cards—\$118,596.47; (vi) no statistics available for the costs of operation of OHIP district offices per capita for the subscriber population served; (vii) only one medical secretary's handbook was ever printed and figures are not available for this printing and distribution. Figures for printing and mailing of physician and hospital indices are only available for the current year 1976: printing and binding—\$6,020.98; mailing—\$6,300; (viii) The coding of diagnostic codes is included in the total claims processing procedure and no specific figures are available. Diagnostic codes are not cross-validated neither at the coding nor key-edit stages.

V. At March 31, 1974, OHIP's Data Centre and Systems and Programming Group were transferred to Ministry of Government Services and Ministry of Health Information Systems Division. Information by fiscal years only is available, not calendar years. Separate costs for CPU time, I/O writing time, et cetera, are not recorded.

(i) Total allocated processing costs fiscal years ending March 31
(in thousands of dollars)

	1972/73	1973/74	1974/75	1975/76
Computer processing				
Claims	1,768	1,782	2,020*	1,694*
Other	1,615	1,908	1,375	1,691
Total	3,383	3,690	3,395	3,385
Systems and programming staff				
Claims	120	141	138	137
Other	831	979	943	722
Total	951	1,120	1,081	859

Note: OHIP did not commence operation until April, 1972. The first figure shown above reflects the first year of operation ending March 31, 1973.

* Unit costing for claims started in 1975 and reduced for second year.

(ii) None; (iii) to (vi) separate costs are not available; (vii) total allocated processing costs: retrieval from files 1972/73—\$219,890; 1973/74—\$243,476. There are no key editors, IBM 2741 terminals, CRT, et cetera involved. The cost of key editing claims utilizing the MDS 9000 system for data entry was provided under Item IV(ii). In 1972 OHIP started with 470 type 9001 data entry key stations. At the present time that total has been reduced to 420 key stations. The computer hardware configurations for the years 1972/73 and 1973/74 are recorded below by complete system. The costs are those applicable to OHIP claims processing. Other Ministry of Health processing was also carried out on these hardware systems. The computer hardware costs for the years 1974/75 and later are not applicable as the computer centre's orientation was changed to a service bureau within the Ministry of Government Services. This change occurred on April 1, 1974. As a service bureau the computer centre provides services to many clients within government. All services provided are billed to the user on a full chargeback basis. The associated charges to OHIP have been separately reported.

	1972/73	1973/74
IBM systems		
370-155	\$951,696	
370-158		\$1,071,181
Honeywell systems		
H 125		
H 1200	614,360	
H 3200		446,770
H 2015		
	\$1,566,056	\$1,517,951

Gross utilization statistics are not provided since all services are costed.

VI. Rates of rejection of claims per 10,000 claims for the calendar years 1972-1977 are as follows:

	V	E	A	Total
1972	530	150	300	980
1973	390	340	290	1020
1974	380	440	310	1130
1975	280	390	290	960
1976 (first eight months)	270	380	250	900
1976 (projected)	260	370	250	880
1977 (projected)	250	370	250	870

V—edit rejects (invalid fields); E—eligibility rejects (physician and subscriber eligibility); A—assessment rejects (fee schedule master, medical rules, et cetera). The projected rates are based on existing trends. 1971 figures are unavailable; 1972 figures cover period May-December 1972.

VII. (i) There is no computerized cross-checking of claims except the duplicate Rules 1000 and 1010 which check for the duplication of the same service by the same or another

physician on the same day for the same participant under the same OHIP number. There are no dollar value statistics available on these rejections; (ii) no complete statistics available on manual recovery procedures; (iii) recoveries from studies of specific practitioner practices (figures are only available from April, 1972): April 1, 1972, to December 31, 1973—\$608,741.05; 1974—\$119,159.11; 1975—\$250,781.11; (iv) subrogation recoveries: 1971—\$5,648,034.94; 1972—\$5,524,769.05; 1973—\$6,734,889.39; 1974—\$8,611,794.35; 1975—\$9,972,170.81.

VIII. (i) see Table 1 attached (1971 unavailable); (ii) see Table 1 attached (1971 unavailable); (iv) see Table 2 attached (1971, 1972 unavailable); (v) see Tables 3, 4, 5, attached (1971, 1972 unavailable); (vi) see Table 6. Items (iii) and (vii) are not submitted as the tabulation of the data in the requested form would involve a disaggregation of existing data at considerable cost.

IX. We have provided the proportion billing the plan directly (see Table 7). Due to the time limitation of the available data which commenced aggregation effective April 1, 1972 the further analysis requested under (b) and (c) is not available.

X. (a) See Table 7 attached; (b) this type of information is only available from individual tax returns.

XI, XII and XIII. Information is not available in this form.

Table 1

Specialty	S.P.	1975 (Jan-Dec)		1974 (Jan-Dec)		1973 (Jan-Dec)		1972 (Apr-Dec)	
		Payment \$000's	Average \$000's	Payment \$000's	Average \$000's	Payment \$000's	Average \$000's	Payment \$000's	Average \$000's
General Practice	0	279,864.8	41.5	255,304.3	39.0	213,659.1	34.5	148,893.9	26.2
General Surgery	1	44,923.0	60.6	40,356.1	54.8	37,669.4	50.9	26,946.3	37.2
Internal Medicine	2	60,935.1	60.9	51,739.6	57.8	44,705.8	50.5	31,171.0	36.3
Obs/Gyn	3	36,241.8	68.4	32,816.6	64.7	30,364.1	60.3	21,467.7	44.6
Pediatrics	4	20,541.6	46.4	17,933.3	45.2	15,855.9	40.6	11,797.2	31.7
Orthopaedic Surgery	5	17,169.7	71.2	14,342.9	68.3	12,923.7	61.8	8,896.0	44.0
Otolaryngology	6	14,970.7	75.2	12,952.8	75.8	12,287.9	71.0	8,444.9	48.8
Urology	7	10,758.5	64.0	9,845.2	62.7	9,136.6	57.5	6,567.9	43.2
Diagnostic Radiology	8	53,519.2	133.5	44,950.3	118.3	39,313.2	106.0	25,992.8	76.9
Anaesthesia	9	25,508.1	50.2	22,314.8	46.4	20,538.8	42.0	14,578.3	30.8
Optometry	10	11,558.0	21.8	8,554.5	16.5	6,711.9	13.7	4,718.8	9.8
Neurology	11	4,600.7	54.8	3,793.0	50.6	3,166.1	48.7	2,142.3	36.3
Psychiatry	12	26,708.6	39.2	22,237.2	36.9	19,028.3	32.1	13,052.2	23.3
Ophthalmology	13	22,379.7	72.4	19,559.2	67.2	18,251.6	62.3	12,687.4	43.9
Dermatology	14	8,858.3	73.8	7,301.8	67.6	6,789.4	64.1	4,809.1	46.2
Pathology	15	35,612.0	267.8	25,497.0	202.4	20,305.9	170.6	11,011.2	98.3
Osteopathy	16	522.8	14.1	556.3	14.6	599.5	14.3	466.6	10.6
Dental Surgery	17	2,619.8	2.7	2,687.7	2.7	2,583.3	2.7	1,906.9	2.1
Oral Surgery	18	3,753.7	56.9	3,337.1	56.6	3,170.0	56.6	2,116.1	35.9
Chiroprody	19	2,819.1	33.2	2,554.6	31.2	2,235.2	28.7	1,474.9	21.1
Chiropractic	20	18,409.9	27.2	17,077.9	27.3	16,953.2	28.8	11,316.5	20.7
Neurosurgery	21	3,203.4	54.3	2,890.0	51.6	2,646.8	62.8	1,814.6	35.6
Plastic Surgery	22	5,059.9	61.7	4,219.2	58.6	3,778.0	54.0	2,568.4	37.2
Thoracic Surgery	23	2,091.7	77.5	1,899.7	76.0	1,621.6	62.4	1,155.0	41.3
Physical Medicine	24	1,947.6	43.3	1,612.3	38.4	1,228.2	27.3	839.4	21.0
Therapeutic Radiology	25	726.6	21.4	586.8	17.8	473.8	14.8	307.2	9.9
Total		715,304.3	47.9	626,920.2	44.0	545,996.3	39.7	377,142.6	29.2

Includes payments made for laboratory services
Represents total OHIP payment only from which expenses of practice must be deducted to determine net income.

Table 2
MODE AND MEDIAN

	1975(1)		1974(2)		1973(3)
	Mode 000's	Median 000's	Mode 000's	Median 000's	Median 000's
General Practice	56.9	40.1	45.0	37.6	32.8
General Surgery	69.2	60.0	57.4	57.8	46.0
Internal Medicine	45.2	47.0	38.6	42.6	39.4
Obs./Gyn.	74.6	68.1	74.9	65.5	60.0
Pediatrics	63.3	42.0	39.3	40.8	36.8
Orthopedic Surgery	75.6	73.6	63.0	69.2	63.0
Otolaryngology	122.9	77.3	74.7	78.7	71.6
Urology	69.0	70.3	74.4	66.9	60.6
Diagnostic Radiology	312.3	88.8	290.6	78.0	71.1
Anaesthesia	56.6	52.6	51.0	49.2	44.9
Neurology	80.9	47.0	51.2	45.0	40.7
Psychiatry	38.7	39.3	38.8	36.8	31.0
Ophthalmology	80.8	76.7	75.5	71.7	65.0
Dermatology	74.4	71.3	69.3	69.9	65.3
Pathology	577.6	81.0	501.6	84.0	88.8
Neurosurgery	56.6	50.6	44.6	47.3	46.8
Plastic Surgery	74.6	61.8	63.4	57.6	51.0
Thoracic Surgery	139.7	60.0	74.2	72.0	60.0
Physical Medicine	32.4	33.6	28.5	29.5	21.0
Therapeutic Radiology	39.1	18.0	46.2	16.5	12.7
All Physicians	39.0	43.2	45.1	44.1	39.1

(1) For the mode April 1975 data was selected as being representative for the yearly experience.

(2) For the mode April 1974 data was selected as being representative for the yearly experience.

(3) Mode for 1973 unavailable.

Table 4

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Frequency distribution of doctors' payments for Jan. 74 to Dec. 74 75/07/09. *for identification of Speciality see Table 1 (SP#)

SP*	Payment range in 000's dollars																				Total
	< 3	< 6	< 9	< 12	< 15	< 18	< 21	< 24	< 27	< 30	< 36	< 42	< 48	< 54	< 60	< 66	< 72	< 78	< 84	< 90	90+
0	927	278	241	210	214	206	192	166	175	186	382	446	554	550	530	400	314	188	144	83	184
1	62	12	18	7	10	17	14	18	15	11	31	32	44	47	48	69	58	40	59	32	92
2	73	32	21	28	21	38	23	25	21	29	40	51	72	58	61	48	44	50	28	18	115
3	36	8	5	3	3	6	11	4	9	7	19	28	22	36	25	35	39	28	38	33	112
4	46	9	11	16	16	10	11	13	12	10	24	26	19	21	14	23	25	23	20	11	37
5	14	3	2	1	2	2	1	3	2	3	3	11	4	11	15	18	19	16	16	9	55
6	10	5	2	2	2	1	1	2	1	1	2	2	8	3	8	14	10	11	9	9	68
7	11	0	3	3	2	0	2	2	2	2	5	7	12	6	12	8	13	14	15	10	28
8	30	10	12	13	14	7	9	3	8	7	11	15	11	6	12	6	9	7	15	7	178
9	16	8	3	10	4	6	8	8	8	8	26	40	79	85	66	55	32	13	3	1	2
10	51	29	38	54	81	77	40	43	29	32	26	9	4	3	1	2	1	0	0	0	0
11	6	3	1	3	4	0	2	0	2	4	7	2	8	3	4	3	4	6	0	1	12
12	42	30	18	24	20	31	20	19	15	28	46	57	61	52	40	26	22	15	16	8	112
13	24	7	3	13	2	3	3	10	4	3	7	7	8	12	15	16	20	24	28	12	80
14	6	0	1	2	0	0	0	0	2	3	2	4	7	6	7	9	9	6	8	10	26
15	12	7	0	3	1	6	3	2	4	4	5	12	1	3	1	5	2	1	1	3	60
16	4	3	7	3	6	4	3	1	0	4	2	1	0	0	0	0	0	0	0	0	0
17	762	126	61	23	7	5	2	1	3	0	4	2	0	2	1	0	0	0	0	0	0
18	4	2	1	1	3	1	1	0	1	1	2	6	1	2	5	2	4	4	4	3	11
19	3	4	5	6	4	1	3	8	3	3	12	6	8	5	5	2	0	2	0	1	1
20	60	34	34	32	37	41	46	26	40	32	57	42	44	32	28	12	11	6	6	3	3
21	6	4	0	1	1	0	1	0	1	0	4	2	9	2	7	3	1	1	2	1	10
22	3	1	1	0	0	0	1	0	1	1	4	7	4	7	10	9	6	2	4	5	6
23	1	0	1	0	1	1	0	0	0	1	0	2	1	0	1	3	1	1	1	0	10
24	1	2	0	0	3	1	5	2	2	6	4	2	3	1	2	2	2	2	0	0	2
25	1	4	4	5	1	4	9	2	0	1	1	0	0	0	0	0	0	0	0	0	1

Total Doctors	2211	621	493	453	459	468	411	358	360	387	726	809	984	953	918	770	646	460	407	260	1105	14259
Total Payment	2063261.34	4779673.76	4779673.76	6189005.38	8015389.66	8015389.66	11020861.20	44371676.87	48384756.52	32908778.22	48384756.52	44462439.77	22581813.95	34437031.46	18011213.59	32908778.22	44462439.77	22581813.95	34437031.46	18011213.59	32908778.22	44462439.77

Table 6

	Gini Index		
	1975	1974	1973
General Practice .....	.43	.43	.44
General Surgery .....	.35	.33	.34
Internal Medicine .....	.50	.48	.48
Obs/Gyn. ....	.33	.32	.32
Pediatrics .....	.43	.42	.43
Orthopedic Surgery .....	.30	.29	.30
Otolaryngology .....	.33	.29	.30
Urology .....	.33	.29	.32
Diagnostic Radiology .....	.52	.52	.52
Anaesthesia .....	.21	.21	.22
Optometry .....	.32	.34	.33
Neurology .....	.39	.41	.38
Psychiatry .....	.38	.37	.38
Ophthalmology .....	.32	.32	.34
Dermatology .....	.25	.25	.25
Pathology .....	.66	.64	.66
Osteopathy .....	.38	.37	.37
Dental Surgery .....	.51	.50	.49
Oral Surgery .....	.35	.35	.33
Chiropody .....	.31	.35	.38
Chiropractic .....	.41	.40	.40
Neurosurgery .....	.39	.38	.49
Plastic Surgery .....	.26	.26	.29
Thoracic Surgery .....	.43	.33	.33
Physical Medicine .....	.34	.36	.44
Therapeutic Radiology .....	.38	.38	.34
All Physicians .....	.49	.49	.49

Note: The Gini Index is an index of income equality where 0 is perfect equality and 1 is perfect inequality.
The Gini Index has no absolute meaning. However, it is useful for comparisons over time and between specialties.

Table 7

Proportion of Physicians Practising Under the Plan*

	Total Number Billing Plan	1975 Prop. Under Plan %	Total Number Billing Plan	1974 Prop. Under Plan %	Total Number Billing Plan	1973 Prop. Under Plan %
SP						
0	6,740	94.14	6,570	94.12	6,194	93.60
1	741	85.41	736	85.04	740	83.25
2	1,000	93.52	896	92.53	885	91.46
3	530	64.49	507	63.98	504	63.24
4	443	92.99	397	91.52	391	91.12
5	241	85.26	210	85.41	209	83.59
6	199	81.56	171	82.55	173	81.40
7	168	71.52	157	70.99	159	70.62
8	401	93.12	380	90.78	371	87.92
9	508	71.34	481	71.77	489	71.14
10	531	93.19	520	87.43	491	85.21
11	84	93.81	75	92.66	65	93.17
12	682	72.70	602	72.72	593	73.31
13	309	73.01	291	74.02	293	74.64
14	120	95.48	108	94.58	106	94.17

(Table 7 — continued)

SP	1975		1974		1973	
	Total Number Billing Plan	Prop. Under Plan %	Total Number Billing Plan	Prop. Under Plan %	Total Number Billing Plan	Prop. Under Plan %
15	133	97.70	126	97.56	119	96.36
16	37	80.88	38	73.43	42	69.81
17	981	98.05	999	98.62	968	99.15
18	66	99.16	59	97.77	56	99.07
19	85	76.40	82	72.70	78	65.14
20	676	95.09	626	93.49	588	90.51
21	59	91.82	56	92.45	55	92.12
22	82	77.67	72	78.67	70	75.09
23	27	90.72	25	88.51	26	84.09
24	45	100.0	42	100.0	45	99.40
25	34	100.0	33	100.0	32	100.0
Total	14,922	89.47	14,259	89.00	13,742	88.09

*Includes estates as well as out-of-province physicians based on number of physicians submitting claims on an opt-in basis.

144. Mr. Bain—Inquiry of the ministry: Is the Minister of the Environment aware of the recent response (October 19, 1976) made by the Hon. Romeo LeBlanc, federal Minister of the Environment, concerning federal action in the area of fluorocarbons and their effect on the environment? Further, is the minister aware that in that statement Mr. LeBlanc suggested that the problem, “is one which can only be attacked in a global way since it is a global problem. [it] is right to tie it to co-operation between not only the provinces and the federal government but between nations”? Has the minister met with or had discussions with federal authorities pursuant to this statement or to the problem of fluorocarbon contamination of the environment?

Answer by the Minister of the Environment (Mr. Kerr):

On October 19, 1976 in response to opposition question in the House of Commons; the Hon. Romeo LeBlanc, federal Minister of the Environment, made a short statement on the problem of ozone depletion in the stratosphere. This statement revealed his plan to make a policy decision after a report of the Advisory Committee on Stratospheric Pollution is released. The air resources branch of the Ministry of the Environment is aware of this activity and is in constant contact with Atmospheric Environment Services, Environment Canada. According to these contacts, the report mentioned above is scheduled for release shortly and the air resources branch will be receiving a copy of it. The air resources branch has been monitoring all new developments in this field. A recent letter to the Hon. Romeo LeBlanc offers co-operation of the province of Ontario in solving this problem as soon as possible.

145. Mr. Bain—Inquiry of the ministry: Does the Minister of the Environment intend to introduce legislation in Ontario to ban the use of fluorocarbons in aerosol products? If so, when?

Answer by the Minister of the Environment:

The problem of ozone depletion is of global nature and has to be dealt with on an international scale. However, if further research indicates a significant threat to human health, the Ontario government is prepared to restrict all non-essential uses of fluorochlorocarbon compounds in Ontario.

146. Mr. Bain—Inquiry of the ministry: Does the Minister of Consumer and Commercial Relations have information relating to the production and distribution of fluorocarbon-containing products in Ontario for the years of 1973, 1974 and 1975? In particular, would he provide the House with the following information for the afore-enumerated years: (i) the production of each major type of fluorocarbon by weight (F-11, F-12, F-22, F-113, F-114 and others); (ii) the companies which are producing each type of fluorocarbon and the types which each are producing; (iii) the value/number of aerosols being produced and/or sold in Canada; and (iv) the percentage of aerosols being produced and/or sold in Ontario which contain fluorocarbons?

Answer by the Minister of the Environment:

The requested information can be summarized as follows:

(i) Total Canadian Production Figures
(millions of pounds)

Year	F-11	F-12	F-22	Other	Total
1975	19.0	21.3	3.0	5.4	48.7
1974	23.2	26.4	0	6.2	55.8
1973	19.6	21.8	3.0	3.6	48.0

(ii) Allied Chemicals Limited, Amherstburg, Ontario, produces F-11, F-12 and F-22; Dupont of Canada, Maitland, Ontario, produces F-11, F-12, F-22, F-113 and F-114; (iii) number of units sold in Canada: 1976—150 million (estimated), 1975—151 million, 1974—170 million, 1973—164 million. The estimated sales value for these units in 1974 was \$270 million; (iv) about 40 to 50 per cent of the total "aerosol cans" produced use fluorocarbons as a propellant.

Note: Ontario distribution figures represent 35 to 40 per cent of those mentioned above.

178. Mr. Cunningham—Inquiry of the ministry: 1. Would the provincial Treasurer please provide the total cost to date for the implementation of the Parkway Belt? 2. What moneys have been allocated for acquisition of lands for the next two years?

Answer by the Treasurer (Mr. McKeough):

1. I am interpreting the question of implementation costs as the costs of land acquisition to accommodate approved projects of Ontario Hydro (principally the 500 kv transmission line between Milton and Woodbridge), Ministry of Transportation and Communications and the advance purchase programme. This does not constitute 100 per cent of the implementation costs as there are others, including the costs of the public hearings (completed November 23, 1976), publication of draft plan, staff costs accruing to various ministries involved in plan preparation, public displays, et cetera. The land acquisition costs that follow constitute well over 95 per cent of the total implementation costs to date.

The Ministry of Government Services is the purchasing agent for all lands acquired within the Parkway Belt planning area. Information provided by MGS, which was given to the Parkway Belt hearing officers on November 15, at their request, indicates the following land acquisition costs for the period June, 1974, to October 8, 1976: (a) MGS for Hydro, 4,914 acres—\$62,273,791; (b) MGS for MTC, 248 acres—\$4,103,000; (c) MGS for advance purchase distress programme, 3,456 acres—\$50,477,582; sub total, 8,618 acres—\$116,854,373; (d) MGS for MNR (Bronte Creek Provincial Park) 1971-1974, 1,690 acres—\$5,600,000; (e) MGS (Oakville Sports Complex) August, 1974 to April, 1975, 535 acres—\$5,818,000; total, 10,843 acres—\$128,272,373.

It should be noted that: (1) Purchases made by MGS on behalf of Hydro often included land required for other than Hydro purposes in that it has been our policy to acquire all provincial land needs in one negotiation rather than acquiring part of an individual's land for Hydro, then going back next year for highways, next year for public open space et cetera; (2) Purchase made by MGS on behalf of MTC often includes land required for other than specific MTC needs; (3) Purchases under the advance purchase distress programme will include lands required for Hydro transmission, highways, future utility and rapid transit routes, public open space et cetera; (4) Purchases made include lands additional to defined provincial needs as expressed in the parkway draft plan because of the necessity of acquiring remnants of the original property which becomes extremely difficult for the owner to use by virtue of the provincial acquisition; (5) Prior to February, 1976, the policy of this government in acquiring land for Hydro purposes, was to give the owner the option to either sell (fee or easement) **only** that portion of his property specifically required for public purposes, or to sell the entire parcel even though it was in excess of the provincial need. Many persons took the latter option and as a result land in excess of the public land needs defined in the draft plan were acquired. In some instances the land purchases went beyond the boundaries of the Parkway Belt planning area defined initially in 1973, and subsequently modified.

2. The budget allocation for the current fiscal year is \$28,000,000 for the advance purchase programme and the Ministry of Transportation and Communications needs, plus \$22,000,000 estimated for Hydro's 500 kv line land requirements. To estimate the budget allocation for the fiscal year 1977-1978 is not possible yet as there are so many major variables which will not be capable of accurate measurement until later in 1977. The principal unknown is what the hearing officers will recommend in their report (not expected until late February, 1977)

and the reaction of the cabinet to the recommendations made. Should the hearing officers recommend that the area proposed for public open space be contracted or expanded, it will have a substantial effect on total costs and the rate of spending. Should the officers recommend, as a hypothetical example, that the timing of acquisition be dependent on the owners' wishes rather than provincial need, the amount of budget allocation could be substantially influenced. These are two of many possible examples which could affect the budget allocation.

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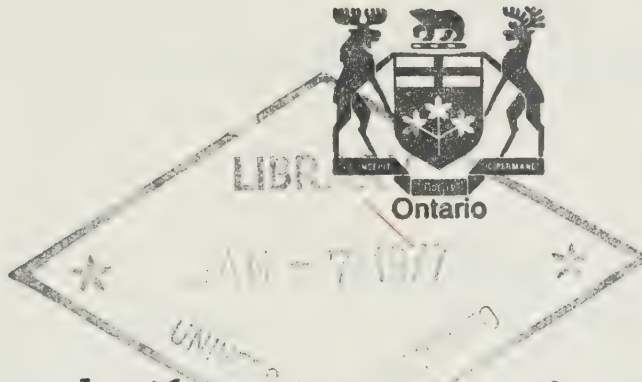
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No. 137



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Legislative Assembly

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Third Session of the 30th Parliament

Monday, December 13, 1976

Evening Session

Speaker: Honourable Russell Daniel Rowe

Clerk: Roderick Lewis, QC

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A list of the speakers taking part in the debates in this issue of Hansard appears, in alphabetical order, at the back of this issue.

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LEGISLATURE OF ONTARIO

MONDAY, DECEMBER 13, 1976

The House resumed at 8 p.m.

EMPLOYEES' HEALTH AND SAFETY ACT (concluded)

Resumption of the adjourned debate in committee of the whole House on Bill 139, An Act respecting Employees' Health and Safety.

On section 4:

Mr. Chairman: Order, please. When we rose at 6 o'clock it was the impression of the Chair that the hon. minister had something to say. We are dealing with section 4, subsection (1).

Hon. B. Stephenson: Mr. Chairman, my only remark was that we had introduced an amendment to section 4, subsection (1) and I was a little concerned about the route of management of that amendment in view of the fact that the hon. member for Nickel Belt had introduced an amendment which covered the entirety of section 4. I was asking for guidance on the deliberations in this area.

Mr. Chairman: It is the intention of the Chair to deal specifically with the amendment, in particular subsection (1). We are going to get ourselves into a great deal of difficulty if we deal with the total of the amendment at this time and then have to go back to other subsections of section 4 where there are amendments proposed by the minister. We are dealing specifically with section 4, subsection (1).

Mr. Laughren: Mr. Chairman, I have already spoken on the sub-amendment which I have placed. I would only suggest to you and, through you, to the minister and to the Liberal Party that if it is their wish to treat section 4, subsection (1) separately from the rest of section 4 it might make it easier in terms of debating it and in terms of voting on the sub-amendment.

Mr. Bullbrook: We've had the opportunity over the dinner hour of speaking with the minister and with the critic of the New Democratic Party. If you'll permit me I

want to think out loud, and if I'm voicing anything of confidence I trust immediately that someone who feels it is an intrusion of confidence will advise me so.

I had stated prior to dinner that I appreciate very much the intention of the New Democratic Party members in proposing their amendment. I felt, frankly, that playing the numbers game was arbitrary at best and ineffective at worst, and I just can't advise my colleagues to go along with the New Democratic Party amendment. I frankly feel that there might be thousands, if not hundreds of thousands, of employees in the province of Ontario who might be deprived of the efficacy of the legislation because of the fact that we exclude those establishments with fewer than 10 employees.

I had anticipated an amendment which would have said and, if you would permit me, which would have in effect made it mandatory upon the minister to provide for a health and safety committee where an employee, group of employees or the collective bargaining agent representing the employees requested same, the intention being that where you have in being a health and safety committee established voluntarily, one would anticipate that it would be more efficacious because of the voluntary nature of same, than one structured under the committee.

Therefore, I wanted to ensure that those who had over decades established committees of that nature would not be compelled under some mandatory word in the section to have the minister impose a new committee upon them. Therefore the use of the word "shall" in the universal sense was not attractive to myself and my colleagues. We, therefore, anticipated that it would be mandatory for the minister to invoke her statutory powers only where requested by the employees and so on.

On the other hand, as a result of discussions over the dinner hour it seems to me reasonable that to put it in the singular invites perhaps undue intrusion where intrusion isn't needed.

On the other hand, I want to say that's what section 2 was all about, and I've got to voice that again, because it's the individual employee judgement, under section

2, that is really the *causa causans* of the whole legislation. Frankly, I'm prepared myself to consider the propriety of having the minister act in a mandatory fashion where a majority of the employees request the imposition of the statutory health and safety committee.

Then it's been brought to my attention that there might be times where a majority of employees, as a result of inertia on their part, perhaps as a result of outside influence, might not seek the request and the Minister of Labour under this legislation and complementary legislation is placing in her own hands not only the power but the duty, the duty to see that the employees are protected, and with that I totally subscribe, and were I that minister I would not want by reason of words to be divested of the ability to exercise that responsibility. That's why I feel, frankly, the numbers game doesn't satisfy either the minister or myself and I think in the long run the critic for the New Democratic Party.

So we're caught up in a strange dichotomy that we all want to resolve and I don't know the words to resolve it. I voice this out loud, through you, Mr. Chairman: Where there is a happy situation prevailing, where there is a health and safety committee satisfactory to a majority of employees, satisfactory to management, why intervene? There is the need of absolute intervention, mandatory intervention, where a majority of the employees want or the employer wants intervention. Thirdly there is the ability, based on criteria established in the statute, for the minister to intervene when there isn't such a request and when there isn't a health and safety committee.

She can then truly exercise that discretionary judgement, or on the basis of information rendered to her from her ministry, statistical or otherwise, she can say: "I am not content with the health record or safety record in that plant. Even though a majority of employees have not requested it, I will exercise my function under the purview and within the parameters of the criteria established under the statute." Surely there must be among the 125 of our peers someone with enough intelligence to write that down. I can't. I am going to try to write it down, but I haven't been able to yet.

I am very interested in the point raised by my colleague, the member for Nickel Belt, and the hon. minister responding. Supposing there is a group in society that looks with great disdain—almost anathema—on the concept of mandatory imposition of a health and safety council. Surely we can relieve them—nay, more than that, surely we have a duty

to relieve them—if we can say that a majority of employees have requested this. If it becomes a situation that's insurmountably administratively complex—and here both the member for Nickel Belt and the minister have educated me—then let the minister come back in March or April and say, "I am sorry, my colleagues, it can't work. I just don't have the administration to respond to these requests."

I will be the first to try to lead the debate in changing it back, but frankly—and I will close by repeating this—we don't render discretion to the incumbent minister. We never have. We never will. We don't leave it to Hon. Bette Stephenson to exercise her responsibility. When we give discretion, we should give it to cabinet ministers exercising this portfolio for as long as the legislation might be there—for a decade or more. Frankly, in the light of the tenor and intention of the legislation, I don't feel we can do less than assure those who wish to have a health and safety committee, no matter where they work, that on the basis of the democratic process in their establishment they should have one.

Mr. Laughren: If I might respond to the member for Sarnia, it seems to me that the member for Sarnia and the minister and I and others all agree we are striving for the maximum protection of workers on the job in such a way that it's pragmatic, that's it's possible, that we are not building some kind of nightmarish model that won't work. We don't want that any more than anyone else. I get the impression from the minister that she thinks that is what we are suggesting in our amendments.

We are not. We have thought through our amendments carefully. We have checked other jurisdictions and we feel that our amendments will work. If we are talking about maximum protection for workers, and at the same time building it into a structure that's pragmatic, then I see no reason why making the safety and health committees mandatory for places of work with over 10 employees imposes any kind of burden on the ministry. The onus is upon the employer to establish the committees.

Secondly, if we are worried about the numbers game and the fact that employees in places of work where there are fewer than 10 employees might be discriminated against, I would draw your attention to our amended section 6. It says that if there's a problem in a work place with less than 10 employees, the minister shall designate that there be a safety

and health committee in that particular work place.

Finally—the member for Sarnia touched upon this and I agree with him—if there is a problem when we enact this bill between the time the bill is proclaimed and the time that the omnibus bill is introduced and debated, then we also would agree with any kind of amendment that would make it workable. If any part of this bill we're bringing in turns out to be nightmarish then we would have nothing to gain by continuing to support something that was not workable.

[8:15]

I would suggest to the minister that she seriously think about who it is that would find it anathema to have mandatory committees. The workers in the province of Ontario? I doubt that very much. The only people who will find it very difficult to live with are some of the employers in the province of Ontario who simply don't want what they regard as a management right taken away from them. We don't believe that's a management right and the minister doesn't really believe it at this point in time either, or this bill would not be before us and we would not be debating it. Obviously she thinks that occupational health and safety should come under the purview of the workers as well as management.

Therefore, I would suggest to her that she not be deluded or misled into thinking that because we would make health and safety committees mandatory in places of work where there are more than 10 employees, or in places where there are less than 10 employees when there is a problem in the work place, we're trying to create an unworkable structure. That's not the case at all. I don't believe the employers in the province of Ontario have a thing to worry about, unless their place of work is unsafe.

Mr. Haggerty: I just want to speak on the amendments put forward by the minister and by the member for Nickel Belt. I'm a little concerned about the proposed amendment that says the minister may by order in writing require an employer to establish a joint health and safety committee. I believe on second reading of the bill I suggested to the minister she should have something in the bill to the effect that where it is requested by an employee or a group of employees where there is no safety committee, one be established. I think that's rather important. Perhaps that is the crux of the understanding of this particular section of the bill.

With regard to other ministry staff that are speaking throughout Ontario and other countries, I want to quote something from the IAPA magazine of November, 1976. One story is headed: "Government's Role in Safety, Health Should Have Limitations, Says Labour Ministry Official." Mr. Hushion was addressing a workshop on safety and health in the chemical industry, co-sponsored by the Manufacturing Chemists Association in Washington, DC. He told the workshop delegates: "People in government feel that effective control can be improved by having employers and employees establish and run their own monitoring programmes in accordance with government standards for monitoring." He said that means "we can rely less on the routine inspections and concentrate on the post-audit function established and run on a priority basis."

"There are and indeed should be limitations on the role of government in a field such as occupational safety and health. Government's role is to facilitate and ensure compliance with well-conceived standards, not to stand over the shoulder of every employer and employee. The remainder of the responsibility for compliance must rest with labour and management."

If you look at that particular section where it says "the minister may," you have to wonder how the two policies you're trying to head for are going to solve the problem of health and safety in industry. It's not going to do it if you use the word "may" there. There should be another word there, perhaps "mandatory," as suggested by the member for Sarnia. There's got to be something different from "may." You must provide an opportunity for other persons to join in a health and safety programme or a safety committee in industry in Ontario.

I suggest that what you intend under section 4 of the bill, speaking from that article in the IAPA magazine, is in direct conflict with one another. Surely if you're going to have that, you're going to have difficulties in administering this Act in every industry in the province of Ontario.

I can't quite go along with the amendment proposed by the NDP where it requires 10 or more to make it mandatory. I can't accept that. In my past history of working in industry in the Niagara Peninsula I have seen a number of industries—small industries with three to five personnel employed—dealing with toxic chemicals. All they are doing is mixing the concentrate, putting it from one container into another and mixing it and it it shipped out. It is just like a warehouse but the chemical is deadly. In some cases they

only have three or four persons there doing the job and I think they should be protected under this Act. On the recommendations of an amendment put forward by the NDP, this isn't going to cover every workman in the province of Ontario and I can't quite accept that.

I am not satisfied with this section. I think there must be some way for a person to request to join a health and safety committee or have one established in any plant or industry; they should have that right. I sense, by reading the comments of the IAPA and your suggestions here, that you are going to leave it up to industry to decide. I think you should have more input from the Ministry of Labour and not depend on labour and management to see that this is going to be done properly. You have to have the watchdog there. That's what many other employers can look forward to—if they are not satisfied with what's going on in the industry they can report to the Minister of Labour themselves and that door should be open.

I suggest that perhaps the comments of the member for Sarnia are a more reasonable approach to it, and hopefully you will accept it.

Mr. Mackenzie: There are only two or three things I want to say on this section. I want to make it very clear that we said from the start on this bill that if there were two sections we would divide on, they were 2 and 4. We considered them to be a key to the bill and certainly the mandatory committee aspect is one of them. We welcome, I think, the changes the minister has brought in to date in some of the sections. They are not all we want but they are helpful; certainly in this section there are changes which should be made.

I would like to point out to the member for Sarnia that having mandatory committees does not necessarily mean the dissolving or booting, if you like, of all the existing committees. There is no reason we can't work with them and I think the intent of the legislation is that we do. I think it's one of the games, quite frankly, that the member for Sarnia has been playing in this whole issue.

He's been talking about the numbers game all night. We've listened to the rhetoric and we've done enough penance.

Mr. Shore: You straighten it out. You will be all right.

Mr. Swart: Are you speaking as a Liberal or a Conservative?

Mr. Mackenzie: We want this bill. We'd like it through and we think it should be through this evening. I say to the Liberal members if they want to cut the rhetoric and take a look at these issues—

Mr. Reid: After all the nonsense we have heard—you've got a nerve. I have heard hypocrisy and sanctimoniousness, but you are overdoing it.

Mr. Swart: You practised it, too.

Mr. Mackenzie: It hurts, doesn't it, when you're caught playing games?

Interjections.

Mr. Chairman: We have a lot of work to do in this committee tonight. Will you stick to the principle of the amendment to the amendment without interruption?

Mr. Mackenzie: That's very simple. I am simply saying that if they want to put their vote where their mouth is, let them vote with us on it; if not they can defeat us and vote with the government as I expect them to. I think it's time we got on with the bill and put the amendment and voted on it accordingly.

Mr. Singer: He is out of order again.

Hon. B. Stephenson: I have listened very carefully to the arguments put by the hon. members for Nickel Belt, Hamilton East and Sarnia. I have also listened very carefully to the arguments put by the representatives of employer groups during the standing committee hearings.

I think it is important to recognize that the purpose of this bill, as the hon. member for Nickel Belt has said, is to protect the workers. In order to do that I think we must have the co-operation of all groups involved. If we introduce legislation which is entirely antagonistic to the wishes of one group or another, it would seem to me we are prejudicing the success of this portion of the interim bill.

I am wondering if the problem might be in some way improved or corrected to a degree if, as I suggested earlier, we were to omit the phrase, class or group of employers as defined in the order and, under section 2, which I have to go to right now—in spite of the fact that I have complained about considering other sections than simply section 4(1)—under section 2, amend that section by adding "the minister shall consider," and adding a clause (c) which states "the request of a majority of the employees in an estab-

lishment" as a part of the criteria which the minister must consider in the process of establishing a health and safety committee. That would renumber clauses (c), (d) and (e) as (d) (e) and (f) as a matter of fact, and I'll write that out for you in a moment.

It seems to me that this would ensure that the minister must consider the various criteria in section 2 but still have the power to make that consideration on the basis of the request of a group of the employees in any establishment so that indeed we will not be playing the numbers game, so that indeed we will be able to establish committees where it is necessary to do so on the basis of record or on the basis of the concern of the employees that whatever system is presently functioning is not working sufficiently satisfactorily.

I'm wondering if—now he's gone—the hon. member for Sarnia—

Mrs. Campbell: He has gone to find out if he can find a typist to type out the amendment.

Hon. B. Stephenson: It would be helpful if he were here, because we had discussed this specific concern of his.

Mr. Peterson: Just keep talking.

Hon. B. Stephenson: I am concerned that indeed if we do move at this stage to mandatory committees we may lose the co-operation of a very important segment within this co-operative effort, and that is the co-operation of employers. We heard from every single employer group during the hearings on their opposition to the concept of mandatory committees at this time.

We certainly heard from the representatives of the unions that they would be happier with mandatory committees, but they did not, in fact, state specifically that this was the only way for this legislation to go. What they said was that they wanted to see this legislation passed as rapidly as possibly without being watered down.

In no way would the addition I am suggesting as an amendment to this section be considered a watering down. It would, in fact, strengthen that section because it would ensure that the minister would have to consider the request of employees in addition to other factors, or perhaps solely as the criteria for establishing a committee. It would seem to me that this is a rational way in which to move, in this interim period at any rate. If we find that it doesn't work, then indeed when the omnibus legislation is introduced we

can most seriously consider the possibility of introducing mandatory committees, but I should hate to prejudice the potential function of this piece of legislation by introducing a concept which is entirely in opposition to the stated position of almost every single employer in this province. I think that would be extremely unwise, Mr. Chairman.

Mr. Bounsall: Posturing.

Mr. Sweeney: A question to the minister, through you, Mr. Chairman: Madam Minister, going back to what you just said, does that mean where there is, in fact, a health and safety committee already in existence and it is deemed to be satisfactory by the employees, then you as the minister would not intervene?

Hon. B. Stephenson: That's right.

Mr. Sweeney: Thank you.

Mr. Bullbrook: Recognizing that for me to put a motion is out of order, I would put it in this context: I asked our colleagues to consider, if they would, the possibility of a motion which rendered it mandatory to the minister to impose, where a majority of the employees have requested the imposition, which provides in new section 2 that notwithstanding the mandatory provisions of subsection 1, the minister may require the imposition of the committee where in her discretion the criteria as now in 4(2) are established. So in effect, the intent of that amendment would be that where a majority of employees request she must act, and even where a majority or any employees do not request she can order same on the basis of the criteria in the statute now. I ask members to consider the propriety of that type of amendment.

[8:30]

I say this—and our colleague the member for Nickel Belt has said this—if this imposes an undue administrative burden, let's come back and show us that it does. But frankly, the intention of this legislation is a two-way street and we can't be beholden to any group, be it employer or employee. We want to assure that where employees feel the necessity of a health and safety committee, that there can't be any ambivalence under the statute, there must be action by the minister in that circumstance.

Mr. Laughren: I really don't want to unduly delay the debate, but it seems to me that if we're serious about maximizing protection to the employees, we can't fool around with safety and health committees.

Either we believe in the principle of mandatory safety and health committees on the job or we don't believe in mandatory safety and health committees on the job.

You cannot, it seems to me, build into legislation the proviso that committees are mandatory if the majority of employees want them. There are, I imagine, innumerable examples in which employees would not muster a majority of support for the establishment of safety and health committees, say in small groups of employees; earlier I referred particularly to lumbering companies. In small operations, the employees simply would not come forward to support the establishment of safety and health committees. While the minister might be somewhat dubious about this, I can assure her there are work situations in the province of Ontario in which employees are indeed hesitant to step forward. In small organizations, I can assure her, the employer would know within an hour which employees had indicated they wished to support a safety and health committee at that particular place of work.

We could not support an amendment to this amendment that would make it discretionary if there was a majority of employees on the job. If we're serious about it, we establish mandatory safety and health committees where there are 10 or more employees, and for less than 10 employees when there's a problem in the work place. We too are concerned about creating the kind of structure that's not workable, but I don't see that making it at the discretion of the majority of workers is the answer. We're saying there should be safety and health committees in all places of work, so let's get on with it.

The committee divided on Mr. Laughren's amendment to the amendment that section 4(1) of the bill be struck out and the following substituted therefor: "(1) Every employer of 10 or more employees shall establish a joint health and safety committee or committees for a work place or any part or parts thereof," which was negatived on the following vote:

Ayes 24; nays 64.

[9:00]

Mr. Chairman: We will now deal with Hon. B. Stephenson's amendment that section 4(1) of the bill be amended by striking out "or a class or group of employers as defined in the order" in the second and third lines thereof.

Those in favour will please say "aye."

Those opposed will please say "nay."

In my opinion, the ayes have it.

I declare the motion carried.

Order, please. We are dealing now with section 4(2). The hon. minister has an amendment.

Hon. B. Stephenson moves that section 4(2) be amended by deleting the word "may" in the second line and substituting therefor the word "shall" and by adding section 4(2)(c) "the request of a group of the employees or the trade union representing the employees in a work place." The following sections would therefore be renumbered.

Motion agreed to.

Mr. Chairman: That deals with section 4(2). We now have an amendment to subsection 3. Will the minister move her—

Interjections.

Hon. Mr. Rhodes: The member doesn't even understand what it is—you rub sticks together—

Mr. Chairman: Order. Does the Minister of Housing want to be made Minister of Natural Resources or something?

Hon. B. Stephenson moves that section 4(3) of the bill be amended by striking out "at least" in the second line thereof.

Motion agreed to.

Mr. Chairman: Wait a minute, there was an amendment to section 4(3) put earlier this afternoon. If I put the question on this, that section carries. What's your wish on that?

Mr. Nixon: It only carries if the amendment is defeated.

Mr. Laughren: I am confused, Mr. Chairman because there is also an amendment to section 4(2).

Mr. Nixon: It doesn't carry.

Mr. Chairman: Subsection 2 is carried. You have an opportunity if you wish to re-put your amendment to section 4(3) as an amendment to the minister's amendment, if you so wish.

As an amendment to the amendment, Mr. Laughren moves that section 4(3) be amended by the following: "The members of the committee shall elect two of the members as co-chairpersons, one of whom shall represent the employees and one of whom shall represent the employers."

Hon. B. Stephenson: Mr. Chairman, could I ask whether that amendment as presently

presented is meant to substitute for the present subsection 3? If it is, it gives no criteria for membership of the committee.

Mr. Davidson: No, it is not meant to.

Mr. Nixon: On a point of order, Mr. Chairman, you have an amendment that you have put to us indicating that the minister wants to put the phrase "at least" in. I would suggest—

Hon. B. Stephenson: No, delete it.

Mr. Nixon: You take it out or something.

Mr. McClellan: Glad you clarified it.

Hon. Mr. Kerr: We have.

Mr. Nixon: I would suggest that you could clear that out of the way. Then the subsection as amended could be further amended. As I understand it, it's only when an amendment is defeated that the section carries and then it's away from us.

Mr. Hodgson: You are a great leader yet, Bob.

Mr. Chairman: If it is the wish of the committee, with that understanding I'd be happy to put the minister's amendment. Shall the minister's amendment to strike out "at least" in section 4(3) carry?

Motion agreed to.

Mr. Chairman: Mr. Laughren moves that the members of the committee shall elect two of the members as co-chairpersons, one of whom shall represent the employees and one of whom shall represent the employers.

Mr. Bullbrook: I think our colleague means to add that phrase. If he would just rephrase that, then—

Mr. Chairman: Do you wish to add that to section 4(3) as it presently stands?

Mr. Bullbrook: Have you any objection to that?

Mr. Laughren: That is acceptable.

Mr. Bullbrook: If I might just speak to that for a moment. I see no inherent objection to it, except the general objection. We seem to be structuring things for people unduly. However, I don't know why the minister should have any violent objection; I think we can support it.

Hon. B. Stephenson: I have no violent objection except that it seems to me to be less than practical to have two people lead-

ing any one horse. I would think it would probably be more sensible if one chairman were elected. I really feel that we should permit a degree of flexibility. If the group wants to elect co-chairpersons, that's perfectly fine. If they want to elect one chairperson, that's fine too. I don't think we should build in rigidity.

Hon. Mr. Henderson: What about "chairman"?

Mr. Laughren: The main reason we have included this amendment is that where it has been experimented with in the work place by safety and health committees, it has worked quite well. I think it indicates that the entire question of occupational health is a dual responsibility in the work place and for that reason I think that the amendment should stand.

Mr. Chairman: All those in favour of Mr. Laughren's amendment will please say "aye." All those opposed will please say "nay."

In my opinion, the nays have it.

I declare the motion defeated.

Mr. Hodgson: Is the member for Sarnia standing with the NDP?

Mr. Chairman: Will we stack that?

Mr. Bullbrook: I want to see if you are the same fellow I had dinner with.

Mr. Davidson: Get back in your seat and do your job.

Mr. Chairman: Do you want to stack that one?

It is stacked.

We are still dealing with section 4, subsection 4. The member for Nickel Belt has a further amendment.

Mr. Laughren moves that subsection 4 of section 4 should read:

"It is the duty of a committee and it has power to,

"(a) identify situations that may be a source of danger or hazard to employees;

"(b) make recommendations to the employer and employees for the improvement of the occupational health of employees;

"(c) establish and maintain programmes, measures and procedures respecting the health and safety of employees and monitor their effectiveness;

"(d) obtain information from the employer or other persons respecting,

"(i) the identification of potential or existing hazards of materials, processes or equipment, and

"(ii) health and safety experience and work practices and standards in the same or similar industries;

"(e) maintain and keep minutes and records of its proceedings and it shall make the same available for examination and review by an inspector or engineer."

We're going to get ourselves into difficulty if the minister doesn't move her amendment to section 4, subsection 4(c), which I had hoped that she would have done first.

Hon. B. Stephenson: Mr. Chairman, had I had the opportunity to, I should have been pleased to.

Mr. Germa: You are so bashful.

Mr. Bain: You are no wallflower.

Mr. Chairman: Order please.

Hon. B. Stephenson moves that clause (c) of subsection 4 of section 4 of the bill be struck out and the following substituted therefor:

"(c) recommend the establishment, maintenance and monitoring of programmes, measures and procedures respecting the health and safety of employees."

Hon. Mr. Kerr: That will carry unanimously.

Mr. Chairman: We will deal with the minister's amendment to section 4(4)(c) first and we'll treat Mr. Laughren's amendment as an amendment to the amendment. So we will deal with the minister's amendment.

Motion agreed to.

[9:15]

Mr. Chairman: We will now deal with Mr. Laughren's amendment as read earlier. Any discussion?

All those in favour of Mr. Laughren's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

I declare the motion defeated.

We have further amendments to subsections 5, 6 and 7, and the addition of a new subsection 8. If the hon. member for Nickel Belt will place those amendments before the committee, we'll take them all as one, if that is the wish of the committee.

Mr. Laughren: If I might make a suggestion at this time, Mr. Chairman, I could move these amendments and then perhaps vote on the stacked amendments, as I indicated earlier.

I move section 4(5):

"(5) It is the duty of an employer to provide such information requested under clause (4) of subsection 4 as is in his knowledge or possession.

"(6) An employer shall post and keep posted the names and work locations of the committee members in a conspicuous place or places where they are most likely to come to the attention of his employees.

"(7) A committee shall meet during working hours at least once a month or when either of the co-chairpersons or two or more members deem necessary."

The new addition:

"(8) A member of a committee is entitled to such time from his work as is necessary to attend meetings of the committee and all time taken for committee work shall be deemed to be work time."

Mr. Chairman: Could we have some order, please? It's very difficult for the Chair not only to hear, but to determine the way in which he will put these amendments to the committee, because it's not indicated in the amendment before the chairman whether this is an addition. Are you amending the section by adding the following or substituting?

Mr. Laughren: Mr. Chairman, it might help if I indicated to you that when the amendment was drafted, the entire section 4 of the bill was to be struck out and these sections substituted therefor. Therefore, it would appear that when we get to the individual sections, the intention was that they would replace the existing sections, with the exception of section 8, which was an addition.

Further, on a procedural matter, Mr. Chairman, if I might, I would ask your guidance while so many members of the chamber are here as to whether we could proceed with the vote on the amendment on section 4(3) if that's acceptable to the committee.

Hon. Mr. Auld: Mr. Chairman, is that the amendment that was stacked?

Mr. Chairman: Yes. There was an amendment to section 4(3) that was stacked. But we're dealing now with subsections 5, 6 and 7, and a new subsection 8.

Mr. Bullbrook: You want to deal with those before a vote on section 4(3), I take it?

Mr. Chairman: Yes. Is there any discussion of Mr. Laughren's amendment, which deletes and replaces subsections 5, 6 and 7, and adds a new subsection 8?

All those in favour of Mr. Laughren's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

I declare the amendment defeated.

Mr. Bullbrook: In connection with the vote on section 4(3), I am wondering if our colleagues would consider the last recorded vote as carrying this vote also?

Mr. Chairman: What is your wish? The hon. member for Nickel Belt indicated he wanted a vote on section 4(3) at the same time. Now it's stacked.

Mr. Laughren: Yes. The only reason I hesitated is that I understood the spokesman for the Liberal Party to indicate he was supporting us on that amendment.

Mr. Bullbrook: I said frankly that it made no difference to me.

Ms. Gigantes: Then let's vote on it.

Mr. Bullbrook: Frankly, there is no rule that I know of that when I feel a degree of non-commitment I have to vote either way. I have decided and I trust my colleagues will go along with me, that in view of the lack of the other section carrying, it would not be appropriate to the structure of the section for this subsection to carry.

Mr. Nixon: A very reasonable position.

Mr. Bullbrook: I would therefore ask them to vote against the subsection.

Mr. Chairman: It's stacked until the members are called in.

Mr. Laughren: They are already here.

Mr. Davidson: On a point of order, Mr. Chairman.

Mr. Chairman: There is no point of order; everything is in order.

Interjections.

Mr. Davidson: Can I ask a question of the Chair? Is it possible for the Minister of Housing, the member for Sault Ste. Marie, to vote sitting in a seat that is not his in the Legislature? If he is doing that, is he not out of order?

Mr. Laughren: Mr. Chairman, on a point of procedure, would it aid the process of the committee if we accepted the previous vote on section 4(3) in order to prevent calling in the members at this time?

Mr. Bullbrook: Agreed.

Mr. Laughren: Would that expedite the matters of the committee?

Mr. Chairman: The amendment is lost.

Mr. Bullbrook: That's right.

Mr. Laughren: That's correct. I'm talking about section 4(3), in view of the fact that the critic for the Liberal Party has indicated that they are not supporting our amendment.

Mr. Chairman: I declare Mr. Laughren's amendment to section 4(3) defeated.

Section 4, as amended, agreed to.

On section 5:

Mr. Chairman: Hon. B. Stephenson moves that section 5(1) of the bill be struck out and the following substituted therefor:

"The minister may, by order in writing, require an employer to cause the selection of one or more safety representatives for a work place, or any part or parts thereof, from among the employees employed at the work place who do not exercise managerial functions and may from time to time give such directions as the minister considers advisable concerning the functions of a safety representative."

Mr. Laughren: I assume that this amendment is to remove the class of employers from the existing bill. Is that correct?

Hon. B. Stephenson: The amendment simply ensures the safety representative in any work place will be one of the employees employed at that work place.

Mr. Bullbrook: Who does not exercise managerial duties.

Hon. B. Stephenson: And who does not exercise managerial duties, yes.

Mr. Chairman: We are going to get ourselves into great difficulty here and this always happens when the Chair is given a list of proposed amendments in advance of the fact. If we are going to discuss the minister's amendment and vote on it, you are going to be precluded from moving an amendment that the Chair inadvertently knows about. If you have an amendment to the amendment, you had better put it now or forever hold your peace.

Mr. Nixon: Mr. Chairman, on a point of order. I don't think that need trouble you as much as you indicate—unless the minister's amendment is defeated of course and if an amendment is—

Mr. Chairman: But I can't anticipate that.

Mr. Nixon: No, but if an amendment is defeated, the section carries.

Mr. Chairman: That's right.

Mr. Nixon: But if an amendment carries then that section as amended can be further amended and it needn't trouble you.

Mr. Chairman: It won't trouble me in any event, it might trouble some members of the committee.

Mr. Nixon: It won't trouble me either. Why should it trouble you at all? Whoever gets the floor moves ahead with the thing.

Mr. Chairman: That's right, it doesn't trouble me at all.

Mr. Nixon: Good.

Mr. Chairman: I'm just alerting the committee to the fact that if the amendment carries the section carries.

Some hon. members: No.

Mr. Nixon: No, only if the amendment is defeated does the section carry.

Mrs. Campbell: If the amendment is lost.

Interjections.

Mr. Chairman: You see, I can't anticipate what's going to happen. We have been going all along by the system that if there were two amendments, we consider one an amendment and another an amendment to the amendment. That's the way we have been handling it.

Mr. Laughren: Mr. Chairman, would it be in order for me to move an amendment?

Mr. Chairman: Yes—an amendment to the amendment.

Mr. Laughren: That's what I thought you meant.

I move that subsection 1, 3, 4 and 5 of section 5 of the bill be struck out and the following substituted therefor:

"(1) Every employer of 10 or more employees shall establish the position of one or more health and safety representatives for a work place or any part or part thereof from among the employees who do not exercise

managerial functions, and may from time to time give such directions as the minister considers advisable concerning the duties of a health and safety representative."

Subsection 3, of section 5: "The duties of the health and safety—

Mr. Chairman: No, I don't want you to go any further than that. We're dealing with 5(1), and we'll deal with the amendment to the amendment to section 5(1) that has just been moved by Mr. Laughren. Is there any debate?

Mr. Bullbrook: I just want to reiterate if I may my understanding of the intention of our colleague from Nickel Belt. But frankly since we've rid ourselves of 4 and attempted to come to some reasonable conclusion, this is really a reiteration of the principle enunciated in 4 and applied in the context of 5. I think it's too late in the evening to get into the merits of that again and it would be my intention to recommend to my colleagues that we don't support the amendment of the New Democratic Party, that we support the amendment of the government.

Mr. McClellan: We are having a live caucus meeting here.

Mr. Chairman: Any further discussion on the amendment to the amendment?

Mr. Laughren: Mr. Chairman, just so the member's colleagues understand what they are voting against. I would just merely suggest that this does indeed—

Mr. Ruston: We know.

Mr. Conway: We are voting against you, Floyd.

Mr. Laughren: Oh, argumentum ad hominum, you shouldn't do that.

Mr. Bullbrook: Criticize my leadership.

Mr. Laughren: That does indeed follow the establishment of mandatory health and safety committees, following it up with mandatory health and safety representatives on the job, which we think should be in tandem with committees.

Hon. B. Stephenson: The principle I think has been established that the minister should have the responsibility, for at least the period of the interim bill, of appointing safety representatives. I would wholeheartedly agree with you that they should be called "health and safety representatives" rather than simply "safety representatives" and I'm perfectly willing to accept that part of the amendment.

I think it would be inappropriate however, at this time, with the philosophy that has been established under section 4, to insist that for every employer of 10 or more employees that safety representatives be appointed by the ministry. I think the need for appointment is one thing which should be considered, the size of the establishment is another and I think that some rational and logical basis upon which the employee should be appointed is one which should be exercised by the minister upon the advice of the occupational health and safety authority within the ministry.

Mr. Chairman: All those in favour of Mr. Laughren's amendment to the amendment will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

I declare the motion defeated.

We'll now deal with the minister's amendment to 5(1). Any discussion?

Mr. Haggerty: I hope the minister in her amendment is going to include the word "health." That's going to be in your amendment?

[9:30]

Hon. B. Stephenson: Right.

Mr. Haggerty: Is the chairman aware of that—that the words are "safety and health"?

Hon. B. Stephenson: Right. I indicated, Mr. Chairman, that I would most certainly agree to the inclusion of the word "health"—

Mr. Haggerty: Where?

Hon. B. Stephenson: Preceding "safety"—health and safety representatives. Since under the definitions the individual is called a health and safety representative, it would be logical to make that change in the text of the bill.

Mr. Chairman: So that the third last word in the amendment will be "health"?

Hon. B. Stephenson: "Health and safety"—and also in the second line.

Mr. Chairman: In the second line as well?

Hon. B. Stephenson: Yes.

Mr. Chairman: Is everybody familiar with those changes to the minister's amendment? Shall the amendment carry?

Motion agreed to.

Mr. Chairman: Hon. B. Stephenson moves that section 5 of the bill be amended by adding thereto the following subsection:

"(3)(a) A health and safety representative has power to identify situations that may be a source of danger or hazard to employees and to make recommendations or report his findings to the employer, employees, a trade union or unions representing employees and a joint health and safety committee, if any, for the improvement of the health and safety of workers."

Mr. Laughren: Mr. Chairman, I accept your direction here but it seems to me the amendment I would like to place would replace the minister's amendment. I assume I have to word it in such a way that it amends the minister's amendment. Is that correct?

Mr. Chairman: Yes. Mr. Laughren moves:

(3) The duties of the health and safety representatives shall include (a) the regular inspection and monitoring of the work place and reporting of its findings to the committee; (b) the identification, investigation and reporting to the committee of any employee complaint of any health or safety hazard in the work place; (c) the advising of the committee of any steps to be taken to reduce or remove any existing hazardous condition affecting the employee, and (d) the investigation of every accident at the work place that causes serious injury or death to a person therein or thereat, the reporting of its findings to the committee, and the full participation at an inquest into any accident that the health and safety representative has investigated.

Is there any discussion on Mr. Laughren's amendment to the amendment? Shall the amendment carry?

All those in favour of Mr. Laughren's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

I declare the amendment to the amendment lost.

We are now ready for the amendment as proposed by Hon. B. Stephenson.

Shall the amendment carry?

Motion agreed to.

Mr. Haggerty: I think in section 5 and 2 of the bill, where you have "safety representatives," the intent is to carry "health and safety" wherever it's within that—

Hon. B. Stephenson: Right.

Mr. Chairman: That's what was read.

Mr. Haggerty: Not in section 2, sir.

Hon. B. Stephenson: Not in section 2.

Mr. Chairman: That's what was read.

Mr. Nixon: Mr. Chairman, I guess it's a small point but unless something is done about it, section 3 is going to begin "A safety representative may inspect," et cetera.

Mr. Chairman: No, the hon. minister has improvised—

Mr. Nixon: Then subsection 3(a) is presented to us, which refers to a health and safety representative. Somebody, and it's probably the minister, is going to have to have a motion cleaning that up a little bit.

Hon. B. Stephenson: I apologize. I suggested that that should be done editorially throughout the bill, since the definition on the first page was of a health and safety representative, and that it would be appropriate to change that name all the way through the bill.

Mr. Davidson: No, you have to put the continuity into it.

Hon. B. Stephenson: I'm sorry, I didn't hear the suggestion of the hon. member, but if it's necessary to move that that appropriate change be made, I shall do that at this point.

Mr. Chairman: It can be done editorially. Shall the minister's amendment carry?

Motion agreed to.

Mr. Laughren: On section 5(4), the only change in the amendment was the word "health." In view of the fact that the minister has editorialized "health" into the remaining sections of the bill when dealing with safety, we would accept that.

Mr. Chairman: Is that agreed by the committee and understood by the legislative draftsmen?

Agreed.

Mr. Chairman: Any further comments or amendments to section 5 of the bill?

Mr. Laughren: Yes. The numbering has become a bit horrendous at this point, Mr. Chairman, as I'm sure you know. I have a subsection 5 here which indicates "It is the duty of the employer and employees to afford the health and safety representatives such information and assistance as may be

required for the purpose of carrying out his duties as set out in subsection 3."

The last amendment which I was going to put is not necessary because of the word "health" being in there already.

Hon. B. Stephenson: That duty of the employer and the employee is implicit in section 5(3) as the bill is presently written.

Mr. Chairman: So you won't put your amendment to section 5(5)?

Mr. Laughren: No, I will not put those amendments, in view of the fact that they are implicit in the other sections.

Mr. Chairman: Shall section 5 of the bill carry?

Section 5, as amended, agreed to.

On section 6:

Mr. Chairman: Hon. B. Stephenson moves that section 6(1) of the bill be struck out and the following substituted therefor:

"(1) Where an inspector exercises the powers conferred upon him under section 8(1)(a) of The Industrial Safety Act, 1971 or section 6(1)(a) of The Construction Safety Act, 1973, or an engineer exercises the powers conferred upon him under section 618(1)(b) of The Mining Act, the employer shall afford to a health and safety representative, if any, an employee authorized by a trade union or trade unions, if any, to represent it or them and, where there is no trade union, an employee authorized by the employees to represent them, the opportunity to accompany the inspector or engineer during his physical inspection of a work place or any part or parts thereof."

Motion agreed to.

Section 6, as amended, agreed to.

On section 7:

Mr. Chairman: We are dealing with section 7 of the bill now.

Mr. Laughren: I move that the present section 7—

Mr. Bullbrook: You are wilting under the pressure.

Mr. Laughren: No, not at all. I move that section 7 be renumbered and the following substituted therefor:

"Where an inspector gives a direction in writing under section 10 of The Industrial Safety Act, 1971, or an order in writing under section 11 of The Construction Safety

Act, 1973, or an engineer gives a notice in writing under clause (a) of subsection 1 of section 16 of The Mining Act, or an inspector or engineer issues a report of his inspection to an employer, the employer shall forthwith cause a copy or copies thereof to be posted in a conspicuous place or places where it is most likely to come to the attention of the employee, and shall furnish a copy of this direction, order, notice or report to the health and safety representative and the committee, if any, and the inspector or engineer shall cause a copy thereof to be furnished to a person who has complained of a contravention of The Industrial Safety Act, 1971, The Construction Safety Act, 1973, or part IX of The Mining Act or any regulations thereunder."

Mr. Chairman: We are dealing with section 7 of the bill. That deals with section 8 of the bill.

Hon. B. Stephenson: It is renumbered.

Mr. Chairman: We are dealing with section 7 of the bill.

Hon. Mr. Auld: I think the change was adjusted by definition.

Mr. Nixon: Floyd, did you change it to "health and safety"?

Mr. Laughren: Mr. Chairman, it has been drawn to my attention—I believe it is correct—that if the words "health and" are put in with "safety," that will be sufficient.

Mr. Bullbrook: May I have your understanding, Mr. Chairman? Am I correct that we have all agreed that where the word "safety" is mentioned, the words "health and" antecede it. Is that correct?

Mr. Chairman: Yes. So far as the Chair can be absolutely certain of the amendment just moved by the member for Nickel Belt, may I have a copy of his amendment?

Mr. Laughren: Yes, I'm sorry. I thought you had them.

Hon. B. Stephenson: You haven't one exactly the same.

Mr. Bullbrook: The copy I have isn't the same, either.

Hon. B. Stephenson: Mr. Chairman, the amendment moved by the member for Nickel Belt is exactly the same as the present section 7 except for the addition of the words "health and" before "safety representative," and this we have already agreed to.

Mr. Nixon: No problem.

Mr. Chairman: Shall section 7 of the bill be carried as amended?

Hon. B. Stephenson: It is not amended.

Mr. Bullbrook: On a point of order. So we understand, if it is carried as amended, it carries in conformity with what was read by the member, and not what the chairman has in front of him. I think I have what the chairman has in front of him, and it's not what the member read.

Mr. Chairman: That's right.

Mr. Bullbrook: Okay. Good.

Mr. Reid: That's why he asked for a copy of the statement.

Hon. B. Stephenson: Can't we just correct this?

Mr. Chairman: Just so there can be no misunderstanding, I am going to read what is before me:

Mr. Laughren moves that the bill be amended by adding after section 7 the following sections:

"8. Every employer shall notify in writing every employee who works in work places . . ."

Mr. Laughren: On a point of order, Mr. Chairman. That is the next amendment to be before us.

Mr. Chairman: That's what you just handed me.

Mr. Laughren: I'm sorry. I thought that's what you asked for.

Mr. Bullbrook: It is really getting complicated.

Mr. Nixon: We need an inspector.

Mr. Chairman: Will you give me a copy of the amendment you just placed before the committee, please?

Mr. Reid: Better add "health, safety and sanity."

Mr. Chairman: It is almost an unsafe place to be chairman.

Mr. Reid: It is an insane place to be chairman.

Mr. Bullbrook: You know who the bad employer is, eh?

[9:45]

Mr. Chairman: Mr. Laughren moves that the present section 7 of the bill, renumbered as section 8, be struck out and the following substituted therefor:

"Where an inspector gives a direction in writing under section 10 of The Industrial Safety Act, 1971, or an order in writing under section 11 of The Construction Safety Act, 1973, or an engineer gives a notice in writing under clause (a) of subsection 1 of section 618 of The Mining Act, or an inspector or engineer issues a report of his inspection to an employer, the employer shall forthwith cause a copy or copies thereof to be posted in a conspicuous place or places where it is most likely to come to the attention of the employees and shall furnish a copy of such direction, order, notice or report to the health and safety representative and the committee, if any, and the inspector or engineer shall cause a copy thereof to be furnished to a person who has complained of a contravention of The Industrial Safety Act, 1971, The Construction Safety Act, 1973, or part IX of The Mining Act or any regulations thereunder."

Mr. Kerrio: Mr. Chairman, I think that you read that the way it's supposed to read, but it still should read "section 7" and not "section 8."

Mr. Chairman: The numbering will be picked up by the editors.

Mr. Haggerty: The only change made there is "health."

Hon. B. Stephenson: Mr. Chairman, if I may, the section you have just read is exactly the same as section 7 in the present Act, the only difference being the addition of the words "health and" before "safety representative." Otherwise, it is precisely the same as the present section 7.

Mr. Ruston: We don't need the amendment.

Mr. Bullbrook: Mr. Chairman, you've been most indulgent with us, but since we have an almost universal understanding of health and safety we're certainly not going to be burdened, as much as we admire our colleagues, by continually amending things purely to put in the word "health and."

Mr. Haggerty: It is in the preamble.

Mr. Chairman: I appreciate those comments but because of the renumbering section 6 there was confusion as to what section of the bill we should have been dealing with. That's

why I wanted to be satisfied in my own mind as to the section we were dealing with.

Section 7, as amended, agreed to.

On section 8:

Mr. Chairman: Hon. B. Stephenson moves that subsection 1 of section 8 of the bill be amended by inserting after the word "cases" in the sixth line the phrase "that required medical aid."

Hon. B. Stephenson: This is simply to clarify the delineation of information which must be supplied by the Workmen's Compensation Board. If we simply said "cases" it would be impossible to provide that information because the board does not know about all the cases, it knows only about those that require medical aid.

Mr. Chairman: Mr. Laughren moves an amendment to the amendment that the present section 8 of the bill be struck out and the following substituted therefor:

"The Workmen's Compensation Board upon the request of an employee, a committee, or a trade union shall send to the employee, committee or trade union and the appropriate employer an annual summary of data relating to his employer in respect of the number of work accident fatalities, the number of lost workday cases, the number of lost workdays, the number of non-fatal cases without lost workdays, the number of occupational illnesses, the number of occupational injuries and such other data as the board may consider necessary or advisable."

We will deal first with the amendment to the amendment proposed by Mr. Laughren.

Mr. Bullbrook: I want to speak to it, if I might. Do you have that copy? Because I don't.

Hon. B. Stephenson: Yes.

Mr. Bullbrook: I've been able to follow, I think with some degree of alacrity, what has happened. But perhaps our colleague could just tell us the wordings that have changed because I don't have a copy of it.

Mr. Laughren: Mr. Chairman, I think the section that the member for Sarnia was talking about was numbered section 11. Am I correct? The amendment that the member for Sarnia has? We are saying that in this section it's an obligation on the part of an employer to notify all employees when there is a dangerous work place. What triggered this in our minds was the asbestos mills in the province where you might very well have

a case that the place would be dangerous and that the employees should be notified just what the danger was.

Hon. B. Stephenson: If I may, this is the wrong section.

Mr. Nixon: Mr. Chairman, there certainly could be some confusion in the mind of a layman examining this. The hon. member is saying the import of his amendment would be to inform the workmen of a dangerous situation. But as nearly as I can tell from following his amendment, it really just means the Workmen's Compensation Board, upon request of the employee or trade union or the committee—and he just inserts the word “committee.” I can't see any objection to that but I don't think it does what the hon. member explained that he thought it did.

Mr. Laughren: The member for Brant-Oxford-Norfolk is quite right. The purpose of the change was to ensure that the committees were informed of the information.

Mr. Nixon: Nothing wrong with that, surely.

Hon. B. Stephenson: The purpose of the amendment suggested by the hon. member for Nickel Belt is included in section 8(2): “It is required of the employer that upon receipt of the information provided by the Workmen's Compensation Board, it shall be transmitted to the committee, if any, and to the trade union or trade unions representing the employee . . . and to the employee.” So I can see no purpose at all in the amendment which was suggested by the hon. member.

Mr. Bullbrook: Floyd, I'd fire Ted if I were you because it's a downhill course.

Mr. Haggerty: I'm rather confused about this particular section. My main concern in any accident or work injury is that there is a record kept that the employee has access to. What I'm trying to say to the minister is that in a number of cases I'm aware of the work accident record that is kept by many companies disappears. I think they wipe them clean after a period—maybe after seven years or something. In many cases there may be a recurrence of that accident or disability, and when you come back to the industry and the Workmen's Compensation Board there's no record.

Sometimes it's not reported to the Workmen's Compensation Board. It's reported to the company's safety committee or the safety programme that they have—to their particular first aid attendant. He keeps a record

there. Sometimes that record is wiped off. I think that some place along the line we must have all records of injuries available to that employee—perhaps to an employee, an employer and the Workmen's Compensation Board. I think you should be watching this particular section to ensure that we do have a complete record of all accidents or occupational health.

I can quote you an instance in the International Nickel Company in Port Colborne where there are different opinions about the working environment. I think it was in the Globe and Mail not too long ago where you have two criteria set—one for the mining part and one for the smelter part—that you can relate to the sintering operations at Inco.

But I think there isn't enough of a work log kept for an employee. Take somebody in maintenance work who travels throughout different parts of the plant. Sometimes he gets into places where there are toxic agents or gases. They say, “Your work environment is the shop.” But he works in the shop and he's out in all this area where the potential hazard is. I think some place along there we should have a complete work record of that person employed in industry.

Hon. B. Stephenson: There is nothing within this Act to preclude the health and safety committee or the health and safety representative or the employer or the employees from keeping such a record. This section deals specifically with the responsibility of the Workmen's Compensation Board itself to provide such records as it keeps through the employer to the employees to the health and safety committee or to the trade union in order to ensure that they are given all of the information which the Workmen's Compensation Board has.

Mr. B. Newman: The minister moved an amendment at the end of line six which reads, “after non-fatal cases that require medical aid without lost workdays.” Am I correct? There is an amendment on the floor then?

Mr. Chairman: We have an amendment to the amendment to section 8(1) moved by Mr. Laughren.

All those in favour of the amendment to the amendment will please say “aye.”

All those opposed will say “nay.”

In my opinion, the nays have it.

I declare the motion defeated.

All those in favour of the minister's amendment will please say “aye.”

All those opposed will please say "nay."
In my opinion the ayes have it.
I declare the motion carried.

Section 8, as amended, agreed to.

On section 9:

Mr. Chairman: Hon. B. Stephenson moves that section 9(2) of the bill be struck out and the following substituted therefor:

"Where an employee complains that an employer has contravened subsection 1, the employee may either have the same dealt with by final and binding settlement by arbitration under a collective agreement, if any, or file a complaint with the Ontario Labour Relations Board, in which case any regulations governing the practice and procedure of the board apply mutatis mutandis to the complaint."

Motion agreed to.

Section 9, as amended, agreed to.

On section 10:

Mr. Chairman: Hon. B. Stephenson moves that section 10 of the bill be amended by striking out "contravenes section 9(1)" in the third line and inserting in lieu thereof, "fails to comply with a provision of this act."

Motion agreed to.

Mr. Chairman: Mr. Laughren moves that the present section 10 of the bill be replaced as amended and the following substituted therefor:

"Every employer who

"(a) fails to comply with an order made under section 4(1) or 5(1) or

"(b) fails to comply with section 9 or

"(c) fails to provide any assistance or information it is his duty to provide or

"(d) contravenes section 12(1) is guilty of an offence and on summary conviction is liable on a first offence to a fine of not less than \$1,000 and not more than \$10,000 or to imprisonment for a term of not more than 12 months or to both and on a second or subsequent offence is liable to imprisonment for a term of not more than two years."

[10:00]

Mr. Bullbrook: I want to speak to that, if I may. I can't support either the lettered subsections because my understanding is that the minister's all-embracing amendment would cover that. Frankly, I have never been and I hope never to be, an advocate of minimum sentences. It has been my limited experience that there are circumstances where a court

must have discretion; there can be very technical defalcation on the part of individuals without serious intent, without malice, without bad faith. If you don't give a court the ability to assess all circumstances and impose in their judgement the proper penalties, then you make a great mistake. I would not support a minimum. Certainly the maximum is adequate for the latitude of the judge.

Mr. Laughren: If I might speak briefly to that, the purpose of the amendment is to indicate we are indeed very serious about the whole question of occupational health in the province of Ontario. I don't really quibble with the concern of the member for Sarnia regarding the minimum fine. We are merely saying to the employers in the province of Ontario, we attach a great deal of importance to this Act and any contraventions to it will be dealt with in a serious manner.

Mr. Bullbrook: I appreciate that, and I don't want unduly to elasticize the discussion, but may I say to you that if a maximum fine of \$10,000 doesn't convey the seriousness of this Legislature, I don't know what would.

Mr. Chairman: All those in favour of Mr. Laughren's amendment will please "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

I declare the motion defeated.

Section 10, as amended, agreed to.

Sections 11 and 12 agreed to.

On section 13:

Hon. B. Stephenson: Mr. Chairman, just one very minor omission was made here. In section 13 the word after "industrial" should be "chest," to read, "industrial chest diseases."

Mr. Chairman: Hon. B. Stephenson moves that section 13 of the bill be amended by inserting after "industrial" in the fifth line "chest."

Motion agreed to.

Section 13, as amended, agreed to.

Bill 139, as amended, reported.

[Applause.]

Mr. Bullbrook: Well done, Mr. Chairman.

An hon. member: The peoples' coalition.

FARM INCOME STABILIZATION ACT

House in committee on Bill 131, An Act respecting Farm Income Stabilization.

Mr. Chairman: Are there any comments, questions or amendments to any section of Bill 131? If so, what section?

Shall the bill be reported?

Mr. Makarchuk: Just a minute, Mr. Chairman. There was a House leaders' conference and the decision was that we would not proceed with the farm bill until tomorrow at 3 o'clock.

Some hon. members: Oh, oh.

Mr. Makarchuk: That was the agreement among all the House leaders.

Hon. W. Newman: Mr. Chairman, that was my understanding, but I was told to be on standby tonight in case the other bill was finished in time for us to proceed.

Mr. Laughren: We are glad you are here.

Hon. W. Newman: I've been here all evening.

Mr. Breithaupt: Mr. Chairman, I would confirm that it was our expectation that the bill that has just been dealt with by the House, Bill 139, would likely take this evening and that a vote in committee, if required, was going to take place about 10:15

this evening. My understanding is the Minister of Agriculture and Food has commitments and was planning to be in Ottawa tomorrow evening. We had understood that immediately after the question period tomorrow we would proceed with Bill 131 to convenience the minister. I would think that since the various critics who might be interested in this bill were not expecting that it would be called this evening, it perhaps would be best if we could have the committee agree to rise and report and then Bill 131 would proceed as has been anticipated first thing tomorrow after the question period.

On motion by Hon. W. Newman the committee of the whole House reported one bill with certain amendments.

Report agreed to.

THIRD READING

The following bill was given third reading on motion:

Bill 139, An Act respecting Employees' Health and Safety.

On motion by Hon. W. Newman, the House adjourned at 10:10 p.m.

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 Bounsall, E. J. (Windsor-Sandwich NDP)
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Third Session of the 30th Parliament

Tuesday, December 14, 1976

Afternoon Session

Speaker: Honourable Russell Daniel Rowe
Clerk: Roderick Lewis, QC

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A list of the speakers taking part in the debates in this issue of Hansard appears, in alphabetical order, at the back of this issue.

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LEGISLATURE OF ONTARIO

TUESDAY, DECEMBER 14, 1976

The House met at 2 p.m.

Prayers.

Mr. Speaker: Statements by the ministry.

ARTICULATED BUSES

Hon. Mr. Snow: Mr. Speaker, I wish to announce today that my ministry proposes to demonstrate the use of articulated buses on the more heavily travelled public transit routes in four Ontario cities. The object is to assist municipalities in economically providing additional transit capacity.

Mr. S. Smith: We need an articulate minister.

Mrs. Campbell: What is an articulate bus?

Hon. Mr. Snow: While articulated buses are new to North America they are fairly common in Europe and have been used there for many years.

Mr. Kerrio: We have Greyhound buses here.

Hon. Mr. Snow: Such buses, measuring 60 feet in length, are 50 per cent longer than a standard North American bus and carry approximately 50 per cent more passengers.

Mr. Singer: Are they going to be able to articulate in French and English?

Hon. Mr. Snow: The added length, however, does not impede the movement of the buses. Manoeuvrability is equal to that of a standard bus because of a flexible hinge-and-bellows mid-section which permits the bus to bend in the middle when driving around corners.

Mr. S. Smith: That's something like the minister.

Hon. Mr. Snow: In fact, this centre section looks like an accordion.

Hon. B. Stephenson: You guys should go to China. They have those in China.

Hon. Mr. Snow: This accordion or bellows also permits passengers to move freely from one part of the vehicle to the other.

Mr. Singer: Beats Krauss-Maffei any time.

Interjections.

Mr. Speaker: Order, please. We'll get on with the statements.

Hon. Mr. Snow: Preliminary discussions have already been held with transit operators in Hamilton, Mississauga, Ottawa and Toronto to determine if they were interested in demonstrating articulated buses on one or more of their rush-hour routes. I can report that the response has been good and ministry staff and the municipalities mentioned will be working together to draw up vehicle specifications and testing details.

It is anticipated that up to 40 of these articulated buses will be required for testing and tenders should be called for them in mid-1977. While at present such buses are not manufactured in Canada, it is possible to purchase them directly from several European and US manufacturers. However, I am most hopeful that when the tenders are called, Ontario transit manufacturers will respond by bidding.

The actual implementation date of the demonstration will depend on the receipt of an acceptable tender price. Currently, the earliest expected delivery date is the spring of 1978. The demonstration would then be carried out over the following three years. Because the municipalities would be purchasing fewer standard buses the year the articulated buses are delivered, it is estimated the net capital cost of the project will be \$3.3 million.

Furthermore, if the Ontario demonstration proves that articulated buses can be operated as cheaply as European experience suggests, it is estimated a saving of approximately \$4 million annually could be achieved when the new buses are operating on all potential routes in the province.

The Toronto Area Transit Operating Authority—TATO—also is interested in articulated buses on selected GO Transit routes. They could be particularly suitable as feeders to commuter GO trains on the Lakeshore line. Current passenger volume makes it necessary for GO to use two buses—one to

carry overflow only—to drop off passengers for some trains. It is expected that compatible specifications can be developed to meet both municipal and TATO needs so both requirements can be met through a single tender.

Since the articulated vehicle concept is also applicable to streetcars—as is the practice in some European cities—the Toronto Transit Commission will also be testing two articulated light rail vehicles now being developed by the Urban Transportation Development Corporation. This, of course, will be in addition to the previously announced demonstration of standard-length light rail vehicles by the TTC.

COMMUNITY MENTAL HEALTH GRANTS

Hon. F. S. Miller: Mr. Speaker, the Ministry of Health advocates the treatment of the mentally ill in their own community, reserving hospitalization for cases where no other treatment method is possible. As a result, there has been a substantial reduction in the number of psychiatric patients in Ontario hospitals during the past 10 years. However, the patients have not disappeared and there has been a growing need to provide them with appropriate treatment in the community.

I can now give some specific information of the steps taken to do this. Grants totalling \$282,407 have already been awarded to 25 community-based programmes to cover their costs for the balance of the present fiscal year. Two are short-term studies scheduled to be completed within that period and a third will receive limited funding in the following year. The remainder will carry on and will be supported for the two succeeding fiscal years by grants to a total of \$693,967 annually.

The effectiveness of the different programmes will be studied over this period to give a measure of their progress and, if they meet with the hoped for success, to provide an indication of the amount of financial support needed in following years.

The movement to replace institutional care with community-based treatment for a large proportion of patients with mental ailments reflects the development that present-day psychiatry has found to be the most effective and beneficial. Naturally enough, the fact that it also proves to be, in total, less costly is welcome but economy by itself would obviously not have been sufficient.

The primary justification for these newer forms of treatment which, over the past 10 years, have led to a net reduction of more than 8,000 in the number of such patients in hospital at any one time, is the improved therapy that has resulted. Today, long-term institutional care for mentally ill patients is universally regarded as the treatment indicated only when no other is appropriate.

Community-based programmes require adequate support services, such as vocational and recreational activities; after-care and medication maintenance services, and a sufficient range of residential accommodation since some patients will still need sheltered or supervised settings. The provision of the appropriate support services has, in consequence, been a criterion applied to the evaluation of the programmes submitted for approval. Other criteria applied included a clear identification for the need for each specific programme and the objectives it is intended to accomplish, identification of the population it aimed to serve, and the methods planned to evaluate its effectiveness.

Submissions were received from Canadian Mental Health Association branches, general hospitals, community psychiatric hospitals, health units, the Salvation Army, community colleges and professional associations across the province. I should mention that all the submissions for the projects covered by the present grants were also submitted to and approved by the district health council or the local health planning body for the community concerned, and I want to commend the initiative they have all shown.

In conclusion, I should mention that about another 50 such community health project proposals are still in the course of examination. A number of these will probably have received approval before the end of 1976.

Mr. Speaker: Oral questions.

BRUCE SAFETY REPORT

Mr. Lewis: Mr. Speaker, a question for the Minister of Energy, if I may: Can the Minister of Energy make some definitive statement to the House to attempt to deal with the fears and anxieties developing around the question of Bruce generating station? Are the allegations of Energy Probe in fact valid, that there may be a serious safety hazard incipient in that reactor, and are the questions raised about the inherent difference of opinion over safety procedures between the AECS and Ontario Hydro valid?

Hon. Mr. Timbrell: Mr. Speaker, I think perhaps the best way I can answer that question is to read to the member a portion of a letter I sent to the hon. member for Halton-Burlington in the last couple of weeks, which deals with the same question. It was raised during estimates and, if I may, I will read an extract from that letter:

"It is standard procedure for the AECB to issue permission to proceed to full power in stages. The AECB must be assured that at each stage commissioning is proceeding satisfactorily and unforeseen problems that may arise during commissioning are resolved to their satisfaction prior to further increases in power.

"As a part of the licensing procedure for a nuclear generating station, detailed accident analyses are performed. This involves postulating severe failures in the nuclear process systems and ensuring that the consequences are within the reference dose limits established by the Atomic Energy Control Board for accident conditions. These analyses have been carried out for Bruce generating station A and submitted to the Atomic Energy Control Board. The analyses indicate that the reference dose limits are met. AECB staff have reviewed these analyses and in some cases have requested further information. The review of these submissions and the resolution of details in the analysis either by supplying still further information or by minor design modifications is a time-consuming activity."

The staff at Bruce expect to be at 50 per cent power very shortly, either today or tomorrow. The next step will be to increase output to about 70 per cent of full power. Ontario Hydro has made submissions to the AECB in support of its application to go to full power and anticipates that this will be granted.

I might add further that there is an indication in the release from Energy Probe this morning that would lead one to believe there had not been any co-operation in the exchange of information. In point of fact, a representative of Energy Probe spent 3½ hours at Ontario Hydro yesterday, going over the Bruce reactor safety report and, in fact, he was given a copy of that report and it is now in their possession.

Mr. Lewis: By way of supplementary, if I may, if all that is valid, why are the questions being raised publicly about the cooling system, and why are the minister and Ontario Hydro not willing to table the Bruce safety reactor notes—not the safety report, but the notes—which chronicle the exchange of correspondence between Ontario Hydro and the

AECB and AECL? Why are those matters not being made public?

Mr. S. Smith: I asked for that the other day.

Hon. Mr. Timbrell: No, you didn't. You asked for the safety report.

Mr. Lewis: You asked for the safety report.

Mr. S. Smith: No, I didn't. I asked for the background papers to the report.

Mr. Speaker: Order, please.

Hon. Mr. Timbrell: I indicated to the hon. member, I think yesterday or earlier, that an answer is being prepared and, in fact, I should have it tomorrow for the hon. member for Hamilton West. But the safety reports on the various reactors are updated from time to time. It is not as though a report is done and then left; they are updated every six months, nine months, whatever. They are the results of the safety notes.

[2:15]

As I understand it, the concern—not just at Hydro but also at AECL—is that the notes contain a great deal of proprietary information about the actual system. So there is a concern about the commercial value of those notes.

The second thing is the concern about security inasmuch as the notes do contain a great deal of information about the operation of the stations, and if allowed to fall into the wrong hands, there could be a problem. If the hon. member opposite, or any member for that matter, would like a session with the staff of Hydro to go over the safety reports and to become better acquainted with the contents and the details, I would be quite happy to set that up.

Mr. S. Smith: By way of supplementary, can the minister explain why it is that there is still a difference of opinion between the Atomic Energy Control Board and Hydro, as confirmed to us today by Mr. J. W. Beare, the chief of the reactor and accelerator division of the AECB, who has informed us that the reason the Bruce plant has been licensed to operate at only 50 per cent of capacity is because of "still unresolved safety-related issues"? There is clearly a difference between AECB and Hydro on this matter.

Hon. Mr. Timbrell: If the hon. member would check with his colleague from Halton-Burlington, he will know that we did exchange comments a bit earlier in the estimates committee; I did write to him, and I

just read a portion of that letter. When they start up a station, it is not the practice to go immediately to 100 per cent power. It is the practice, whether it is a nuclear-fired station or a thermal-fired station to start out in stages and gradually get up to 100 per cent of capacity.

Mr. Sargent: It's up to 10 per cent.

Hon. Mr. Timbrell: As the hon. member should know, through his friend from Halton-Burlington, after the station first went critical, there were some problems initially with some vibrations—not in the nuclear portion of the station but in the conventional portion—and these have been worked on. I assume that is what Mr. Beare is referring to.

Ms. Gigantes: Supplementary: Is the minister aware of a change in the safety design specifications of the Atomic Energy Control Board around 1972, which would make the independence of the two fast-shutdown processes within the reactor necessary? In other words, there are two fast-shutdown processes now, but they are not independent. Is he aware that this is the area of contention between the AECB and Hydro and the AECL?

Hon. Mr. Timbrell: No, I am not aware that is the area of contention, as the member says. I do know that the Atomic Energy Control Board quite properly does regularly update its requirements, both for the design and the operation of nuclear stations; Hydro does, of course, have to meet the requirements. All of this, of course, has to be jelled with the actual staging of the construction of the plants and bringing them into service.

Mr. Speaker: A final supplementary.

Mr. Reed: Supplementary: Does the minister not remember that during the estimates the question was brought up about inherent safety in the design of the reactor, and does he not recall that my question to him centred on that aspect? Today, with the press release that came out, there seemed to be some further statement regarding inherent design in the reactor. We realize there was some other thing regarding some vibration in some pipes, but does he not remember that I asked him specifically about that particular aspect of that reactor design?

Hon. Mr. Timbrell: The term used in the press release is "a generic design problem." I think the hon. member may even have used that term in estimates committee. I am not aware that, in fact, it is a question of a generic design problem. There has been no indication of that to me.

NUCLEAR GENERATING STATIONS

Mr. Lewis: I have a separate but related question. Might it be a different kind of generic problem? Might the minister examine what is happening at Bruce and what has happened recently at Nanticoke as an example of the problems we are inheriting from Hydro's massive growth preoccupation, the business of building these massive generating stations with very large reactors so that when one or the other of them is in difficulty, however marginal, the public suffers? Is it not possible for the minister to go before the Porter commission and ask that that staging be re-evaluated, that their whole approach be re-evaluated to size?

Hon. Mr. Timbrell: I think the hon. member assumes a couple of things which perhaps need some correction. First of all, the operation of a system does not necessarily depend on the size of the generating station. What it depends upon is the design of the grid so that if any one station or series of stations goes out, power can be wheeled through the province or from other sources outside the province to keep those areas in supply.

The second thing is that the design of the stations where the size is involved has been based mainly on economics—economics of construction and economics of operation.

Mr. Lewis: But not economics of utility.

Hon. Mr. Timbrell: Let's just take the Nanticoke example. If instead of being the six units formerly in operation, Nanticoke had been six different stations—

Mr. Lewis: Smaller units.

Hon. Mr. Timbrell: —the fact of the matter is that the problem first showed up on one unit and the other three were shut down because of the problem on the first one. Being of the same design, whether they are in the same hall or in six different generating stations, the same corrective action would have been taken.

Mr. Lewis: No, they are too big.

Mr. Kerrio: Supplementary.

Mr. Speaker: All right. We've spent now something over 10 minutes on this similar topic.

Mr. Kerrio: I'll be as brief as possible. I would then question the minister, in view of the fact that we've had unlimited funds for the past development of Hydro to this state,

why are we so marginal in our ability to maintain power to those areas that I was very concerned about?

Mr. Lewis: The big units break down.

Interjections.

Mr. Speaker: Order, please.

Hon. Mr. Timbrell: It is interesting to watch the parties opposite try to squirm their way around this issue and be on all sides of it at all times.

Mr. Moffatt: You should see the squirming from this side.

Mr. Breithaupt: We are watching you.

Mr. Nixon: You are the king of brownouts.

Mr. Speaker: Order, please.

Mr. Conway: You people leave enough slime for all of us.

Mr. Speaker: Order. Will the hon. minister answer the question?

Hon. Mr. Timbrell: The hon. member very well knows that the combination of the low-water levels in the north, over which we have no control, the difficulties at Nanticoke with the hangers supporting the generating units and the exceedingly high demand brought on by the very cold weather has caused this problem. He also knows that this problem is being experienced in the province of Quebec and in the province of Manitoba. Just to illustrate the problem in Manitoba, we normally buy 250 megawatts of power from Manitoba.

Mr. Ruston: Put the Windsor plant back on.

Mr. Kerrio: Fifty per cent increases.

Hon. Mr. Timbrell: Not only has that been cut off but we are now selling them 130 megawatts to help them out. The same probably is true in the States.

Mr. Roy: Supplementary.

Mr. Speaker: No, that was the final supplementary on that topic. You will have an opportunity for further questions.

Mr. Roy: That's my problem. I don't think I will.

Mr. Speaker: If we don't waste too much time, we will.

Mr. Moffatt: Speak to your leader.

DELLCREST CHILDREN'S CENTRE

Mr. Lewis: I have a question of the Minister of Health. Is it true that the Dellcrest Children's Centre has made overtures to the Ministry of Health, requesting that all or portions of Thistletown be rendered unto his hands, and that the mental health work done at Thistletown with children be somehow re-apportioned or redirected so that other centres are involved?

Hon. F. S. Miller: Listening carefully to to the phraseology of the question, I'm not sure they have approached us but most certainly the question has been considered about their looking after all the phases of Thistletown.

Mr. Lewis: My question was tentative because I simply didn't know. I'm fascinated to take it further by way of supplementary. Is the minister then considering with a treatment centre like Dellcrest the possibility of giving it jurisdiction over part, if not all, of the Thistletown programme?

Hon. F. S. Miller: For over three years—in fact, since before I became minister—it's been stated policy of the ministry that we should wherever possible turn some of our direct operations over to local boards. I think we're doing that with the Kingston children's mental health facilities at the moment. We have been looking for a year at possible ways of doing that with several facilities, including this particular one.

COKE OVEN EMISSIONS

Mr. Lewis: I have a question of the Minister of Labour. Has the second study on the emission levels at the coke ovens in the major steel plants been completed, as it was intended to be in November, and, if so, has the minister the results?

Hon. B. Stephenson: No, Mr. Speaker, I am not sure that it has been completed as yet because I do not have the results at this time.

Mr. Lewis: Could the minister find out for us?

Hon. B. Stephenson: Yes.

CHILDREN IN TRAINING SCHOOLS

Mr. Lewis: Last question to the Provincial Secretary for Social Development: Is she moving on section 9 of The Training Schools Act as she has moved on section 8?

Hon. Mrs. Birch: Through you, Mr. Speaker, to the hon. Leader of the NDP, no, my mandate is exclusively on section 8.

INFORMATION ON OHIP PAYMENTS

Mr. S. Smith: A question of the Minister of Health: Could the minister tell us with regard to the OMA fee matter—the OHIP payments at present in dispute—since he must worry that the courts might uphold the OMA or, failing that, there might be an appeal and the House would no longer be in session, if we can expect the government to act in the next few days by amendment to empower the Provincial Auditor to review the OHIP records so that he could report to this House on the pertinent information this House desires? Would he act by amendment, by bringing one in now, so as to preclude the possibility of lengthy court delays?

Hon. F. S. Miller: Mr. Speaker, as I understand the problem, and I am not sure my legal interpretations are accurate—

Mr. Peterson: You must have been listening to the Attorney General.

Hon. F. S. Miller: —the issue is not so much should my Act be amended, as what information may this Legislature demand of ministries when specific statutes protect information with confidentiality clauses? I have no idea whether section 44 of The Health Insurance Act is the only section in those statutes but I assume it is not. I agree with the Attorney General's comment the other day. I am very anxious to comply with the wishes of this Legislature. I sincerely hope that tomorrow the finding is that the Speaker's warrant was properly issued, and I will hasten to comply with it the moment I am told by my lawyers that I may.

Mr. S. Smith: A very brief supplementary: I appreciate the comments, but since the minister is aware the matter might go to appeal again, would it not be expeditious to act by amendment of the Act in question so as to specifically designate this information as information which is not to be considered confidential from the public accounts committee or from the Provincial Auditor?

Hon. F. S. Miller: Mr. Speaker, I have another Act before the courts right now and no one is pushing me to amend it prior to the decision of the courts.

Mr. Singer: That's not the answer.

Hon. F. S. Miller: I would suggest that that's what we have the courts for. Let them make their decision and let us then decide whether the amendment is needed.

Mr. Roy: No, no.

Mr. Reid: This is the highest court.

Mr. Lewis: May I invite you to bring in your bill?

Mr. Singer: By way of supplementary, surely the minister must recognize—can I have the minister's attention?

Hon. F. S. Miller: I am listening.

Mr. Singer: Surely the minister must recognize that if he allows this two-day period before this session either adjourns or prorogues to go by, there is every possibility that the will of this House, expressed unanimously in the direction given to the Speaker, could well be frustrated by reason of the fact that he is not bringing appropriate amending legislation before this Legislature?

Mr. Nixon: That's right.

Hon. F. S. Miller: The members are now well off the health matters. I would rather they redirect these to the Attorney General because they are now on to legal matters.

Mr. Singer: I will redirect it.

Mr. Speaker: The question may be redirected.

Hon. Mr. McMurtry: Mr. Speaker, I think I heard all the question. I think it's significant, as I believe I attempted to state yesterday, that it is quite within the powers of this House to extend the mandate of the public accounts committee beyond the prorogation of this House. I am of that view and I must say I have discussed this matter with—

Mrs. Campbell: It doesn't solve anything.

Hon. Mr. McMurtry: —people who, I think, are in a position to express a very valued opinion in that respect. It is within the powers of this House.

Mr. Singer: By way of supplementary: Would the Attorney General not agree that the extension of the mandate of the public accounts committee has nothing to do with whether or not the statute and the provisions about confidentiality are binding on officials of the Crown? The fact that the committee

can continue to sit isn't going to change what the courts might do.

Hon. Mr. McMurtry: I don't think it is proper for me at this time to speculate specifically as to what the courts are going to do. In view of the fact that the Court of Appeal will be hearing this matter tomorrow afternoon, I think we should at least hear what the decision of the court is before we speculate any further on this matter.

[2:30]

Mr. Speaker: A final supplementary.

Mr. Singer: This is of utmost importance. Wouldn't the minister speculate at least to the extent that he will appeal in the event the OMA wins and they will appeal in the event that they lose and, therefore, everything will have gone—this House will have disappeared and the committee will not get the information and the public will not get the information?

Hon. Mr. McMurtry: I have nothing further to add to my previous answers.

PUBLIC HEALTH NURSES

Mr. S. Smith: A question for the Minister of Labour: Considering the fact that since the November 4 statement regarding additional funds for public health nurses there has been, I believe—I might be wrong—a grand total of one settlement, and in view of the mounting frustration of the nurses, could the minister tell us what additional steps she is planning to ensure more settlements and the ultimate resolution of this continuing problem? It is really becoming something of a disgrace.

Hon. B. Stephenson: I have written to Miss Gribben, pointing out the position I have taken and the steps I had proposed to the Ontario Nurses Association and the Association of Boards of Health. I also pointed out to her the availability of the members of the conciliation and mediation staff to work with any local of the ONA in public health throughout the province in order to find an agreed upon solution for the present dispute so that we may move to the joint exploration of a long-term solution to this problem.

It is my firm belief, and I have stated it on at least three occasions in this House, that any solution which is found must be one which is agreed to by both parties. It would seem to me appropriate that the Ministry of Labour should provide all of the assistance

available to both parties in this dispute to finding resolutions to the present problem and then to working out a more appropriate solution to the potential long-term problem.

Mr. S. Smith: By way of supplementary, given the number of times that we have been forced to bring in legislation which was not acceptable to both parties, and given the length of time that this dispute has been dragging on, despite the November 4 announcement, surely the minister would agree that under the circumstances a short-term arbitrated solution is a reasonable alternative which the nurses want and which would be in the best interests of the people while she is seeking this longer-term solution?

Hon. B. Stephenson: That may be the opinion of the hon. member for Hamilton West. It is not the opinion of a number of responsible groups throughout the province of Ontario. I would agree wholeheartedly that the stimulation which has been given to the resolution of this dispute by the additional funds and by the letter which the Premier (Mr. Davis) has sent, not only to all of the presidents of the locals of the Ontario Nurses' Association but to the chairmen of all boards of health, should provide some stimulus.

The very fact that the municipal elections are now over with, I think, will probably help in providing some kind of action at the local level, because there appeared to be some impediment on the basis of potential non-election for some of the elected representatives on those boards.

Mr. S. Smith: Don't blame them.

Hon. B. Stephenson: This is precisely the kind of thing which has been happening. I believe very firmly that this government is in strong support of finding a solution, both on a short-term and long-term basis and, as I have said before, the best one is one which is agreed to by both parties.

Mr. Lewis: Supplementary: Since the Ontario Nurses' Association is now advertising publicly that the offer of money is useless and that the mediation has failed on every front, would it be possible if there is no settlement by the end of 1976—that is a year now we have tried unsuccessfully—to have a representative appointed from each of the three parties in this Legislature to meet with both sides and to attempt to effect a resolution of it before we are forced to compulsory arbitration?

Mr. S. Smith: Anything but arbitration, eh?

Mr. Lewis: Yes, anything but arbitration if we can avoid it. Exactly.

Hon. B. Stephenson: The Minister of Health and I have met on several occasions with representatives of both sides. I think we have been reasonably effective in bringing all of the issues to the view of both sides.

Mr. Sargent: Still batting zero.

Hon. B. Stephenson: The suggestion made by the hon. Leader of the Opposition is a very intriguing one. In my mind's eye it conjures up a delightful picture which I would dearly love to be able to paint, but I shall never be able to do so.

Mr. Lewis: Try it.

Mr. S. Smith: The nurses want arbitration. Give it to them.

Hon. B. Stephenson: Nonetheless, it would seem to me that we have not as yet had time to have responses from the letters which the Premier has sent, and I would hope that as a result of the fact that there are now four areas in which mediation, conciliation and negotiation are going on, and as there was one solution to a problem last week we may be much more hopeful, perhaps, than we have been in the past. I would continue to be hopeful that, indeed, these may set a pattern for the rest of the agreements.

MINING CLAIMS

Mr. S. Smith: A question of the Minister of the Environment: Could the minister tell us what the 10 conditions are that his ministry is allegedly setting out in the work order before any drilling is to be allowed on the mining claims on Lake Wanapitei? In fact, can he assure us that drilling will not take place in this particular water supply of Sudbury; or does he feel that drilling is quite acceptable under his 10 conditions?

Hon. Mr. Kerr: No, Mr. Speaker. As the hon. member knows, there's a certain amount of exploration going on in Lake Wanapitei and certain claims are being made by those who are exploring in that area. One of the conditions, certainly, in the work order will be that there will be no drilling as the result of finding a claim, of being able to establish that uranium ore is available in a certain area.

Those conditions are now being worked out with the Ministry of Natural Resources, so that any work order that's issued to those people who want to continue and drill at this

time will know exactly under what conditions they can do so.

Mr. S. Smith: By way of a supplementary, I guess; it's somewhat related, Mr. Speaker: Can the minister inform us why that lake was adopted as a major water supply for the city of Sudbury, when it was already known from three drill holes in that particular area, from 1955, that there was heavy mineralization there? Was the ministry aware or was it not aware of the fact that mineralization was present there? If it was aware of that, then how can it account for the fact that the lake was not designated and, therefore, restricted from any claims being staked on it?

Hon. Mr. Kerr: These claims have been staked over a period of time. The lake in question is, I think, 10 miles from Sudbury. The quality of the water in the lake at the time that the intake pipe was laid there was satisfactory from the point of view of drawing water for municipal purposes. The quality of the water still in that lake is satisfactory; it is a large body of water, it has great assimilative capacity and, therefore, it was appropriate that an intake pipe be laid there. There are not too many bodies of water of that size in the Sudbury area. If the member has been up there he'll realize that.

BROWNDALÉ OPERATIONS

Mr. S. Smith: I'll ask a question of the Minister of Health; this is the last question, Mr. Speaker. Regarding Browndale, is the minister now prepared to cease the stonewalling, and can he tell us whether in fact per diem operating money has been used by Browndale in order to purchase properties?

Hon. F. S. Miller: First I'll answer the thing we talked about yesterday. We do not require that it be a non-profit organization.

Mr. S. Smith: It is one.

Hon. F. S. Miller: It is one, yes, but we do not require it.

Mr. S. Smith: That is why the ministry did the audit, because it is one.

Hon. F. S. Miller: The fact is we did the audit to assure ourselves that the moneys flowed to them were properly used under the terms of the agreement we had with them. It was a proper and justifiable audit, whether they were profit-making or non-profit making.

As far as I'm concerned we took action against them in the centre core of the city,

based on the last audit, to recover certain moneys that were used for capital purposes that we deemed not to be proper, and I believe that claim was accepted by Browndale.

Mr. S. Smith: By way of supplementary, since that isn't the question I asked: The question I'm asking is, have they been using operating per diem moneys in order to purchase properties? While the minister is thinking about that question and, hopefully, deciding to answer it this time, could he also perhaps consider whether he would tell us whether such properties that they may be purchasing, using per diem moneys, are being purchased from companies related to Browndale—namely the profit-making arm, Brown Camps and so on?

Hon. F. S. Miller: I suspect the Attorney General was looking into certain allegations in this area, and he may be able to answer those questions. I believe there were certain investigations going on.

Mr. Haggerty: Quit tossing the ball around.

Hon. F. S. Miller: I can tell members that the \$68 or whatever it is that is permitted for the Browndale per diem—or for anybody else's per diem—allows for occupancy costs. If it is being paid towards a building they own, I assume it is being used to retire a mortgage. In other cases it is being used to pay rent and sometimes that rent is to a company affiliated with the operating company, as the member knows.

Mr. S. Smith: A brief supplementary: Then it's okay with the ministry if Browndale uses money from the taxpayers of Ontario not simply to provide the service but actually to buy pieces of property from profit-making related arms of the Browndale company? That's okay with the minister, is that right?

Hon. F. S. Miller: I'm interested in a fair sum paid for the value of property. If it is retiring a mortgage, I don't see that that's particularly bad. I assume that if they are renting it from somebody who already owns it, that person in turn is either paying a mortgage or getting a return on the investment. I can't see that the net cost to my ministry will differ too much either way. The key thing is, are they paying a fair price for the property?

Mr. S. Smith: Why are they non-profit?

PSYCHOLOGICAL ASSESSMENTS

Hon. F. S. Miller: Mr. Speaker, on December 9, the hon. member for St. George asked if I would investigate further her question concerning students providing psychological assessments, as the information the members had was that these were student teachers working towards a PhD in the teaching profession and not in psychology.

I am advised that the students in question are doctoral students in psychology enrolled at the Ontario Institute of Studies in Education. A fee is not charged for the psychological testing provided by these students and they are adequately supervised by a registered psychologist. They are under his supervision when they carry out psychological testing, sometimes on Browndale children, sometimes on other children, and sometimes at the request of the court. The students are involved in this as part of their training programme and because it is an opportunity to help.

By the way, if I may just conclude—I wasn't going to add this part—the member asked me what they were going to do in the future. I understand in the future they may practise psychology; some may be teaching at the university level. However, they are not seen as being teachers at the public or high school level.

Mrs. Campbell: A supplementary, Mr. Speaker, if I may. In view of the fact that this sort of information has been given publicly by one of the psychologists who is responsible for this particular practice, and in view of the fact he has stated he is operating on behalf of OISE rather than Browndale, although Browndale letterhead is used in the assessments, could the minister advise us from whom he obtained this information which is given to us today?

Hon. F. S. Miller: I got it from my staff but I'll be glad to find out from whom they obtained it.

WATER SHORTAGE IN NORTHERN ONTARIO

Mr. Angus: Mr. Speaker, a question to the Provincial Secretary for Resources Development. As more than one month has passed since we advised the minister of the serious water shortage in northwestern Ontario, could he now inform this House what action the various ministries under his wing will be taking to assist the drought-stricken areas?

Hon. Mr. Irvine: The hon. member sent me a letter, as he mentioned, approximately a month ago. Since then we have had two policy meetings concerning the drought problem in the Thunder Bay area. It is not confined to Thunder Bay; it is a much wider area than that. It is in northwestern Ontario; it is in Manitoba and it may be in other parts of Ontario. I want to say to the hon. member it isn't something which has been neglected as far as our policy field is concerned.

The ministries of Agriculture and Food, Environment, Natural Resources, Housing—all the ministers in my field—have looked at the subject very carefully. We are discussing it again on Thursday morning to endeavour to give members a resolution as far as we are concerned. I am not hopeful that we will have an easy answer. This is something which will be a problem not only throughout Ontario but, I think, all of Canada and probably throughout the world, as we see it at the present time. There will be some very drastic climatic changes which could go back to the 1930s.

[2:45]

I would suggest that we should wait until Thursday when I expect to have an answer from Thunder Bay city itself as to what it will do to relieve the problems in the area. After that we will be able to respond, and I will, to your letter.

Mr. Conway: He will send the rainmaker.

Mr. Speaker: Order, please.

Mr. Angus: In the minister's deliberations tomorrow, will he be discussing what assistance in terms of finances or equipment the province of Ontario can provide in co-operation with the city of Thunder Bay to ensure that those people in the outlying areas can get water at a reasonable cost?

Hon. Mr. Irvine: This matter has been discussed. At the present time it is the opinion of some of us in our policy field that the Ministry of the Environment in particular is not prepared or not able to give assistance on an ad hoc basis, which this would be. We feel this is the responsibility of the city of Thunder Bay. We think there can be supplies obtained from the city and from other parts of the municipalities that are involved.

We do think that if there is any assistance it might be through the Ministry of Agriculture and Food as it relates to capital investments, whereby the farmers instead of deepening their wells could have storage holding tanks which would allow them to

have water for their animals, which they haven't been able to have in the past and, as the hon. member has said to me, have had to pay rather excessive sums for the water which they obtained from people in the area.

Mr. Reid: Supplementary: In view of the fact that there's no money left in the capital grants programme and there won't be any available until the next fiscal year, will the minister be providing the money for the farmers, not only in the Thunder Bay area, but my area and other ones?

Hon. Mr. Irvine: Mr. Speaker, first of all we haven't received any applications, to my knowledge, and I think we would have to deal with those when they come in.

Mr. Foulds: Supplementary: I can understand the minister's difficulty trying to solve the world's climatic problems; does he not think it might be more appropriate if his policy review committee tried to solve one concrete problem at a time? Does he not agree that the drought situation in northwestern Ontario is more serious in that area than it is in any other part of this province?

Hon. Mr. Irvine: Mr. Speaker, all I was trying to tell the hon. member is this, it's not a local problem; it's a problem that exists throughout the world. I wasn't trying to sidestep the issue of Thunder Bay. I understand Thunder Bay has a problem but there are other areas that have a problem too. It's not isolated in Thunder Bay.

Interjections.

Mr. Speaker: Order.

Hon. Mr. Irvine: There are Hearst, Rainy River—various communities that have just as much of a problem as Thunder Bay has.

LANGSTAFF LAND FREEZE

Mr. Stong: Mr. Speaker, in the absence of the Treasurer (Mr. McKeough)—

Mr. Speaker: Order, please. We can't hear the member for York Centre. Now we'll get on with the new questions.

Mr. Stong: In the absence of the Treasurer, I'll ask the House leader, if I may—

Mr. Speaker: Will the hon. House leader accept the question?

Mr. Roy: Sorry to disturb you, Bob.

Mr. Speaker: The hon. member may proceed.

Mr. Stong: Mr. Speaker, if the story reported in the Hamilton Spectator of December 2 is accurate—wherein it was reported that one Paul Preston, who was then president of the Burlington Area Progressive Conservative Association, was successful in having the freeze on his property in the green-belt area lifted as a result of the intervention of the then Solicitor General, Hon. George Kerr, so that he could build two houses on his 4.4 acres which was frozen—when in the name of fairness is the government going to lift the freeze from the Langstaff community and move it 1,000 feet to the north so that entire community can be freed from that oppressive burden?

Hon. Mr. Welch: Mr. Speaker, I am sure the hon. member would appreciate that that question should be directed to the Treasurer, and I would be very glad to draw it to his attention when he returns from the very important meetings that he is attending in Ottawa at the moment.

ENERGY COSTS

Hon. Mr. Timbrell: Mr. Speaker, in the Legislature on Friday there were a couple of questions which were taken as notice by the Premier for me. I would like to respond to them. The first came from the hon. member for Wentworth (Mr. Deans), and he asked: "Is it the intention of the government . . . to make any representation before the Energy Board with regard to the more recent increase request by the natural gas company in the province of Ontario?"

As the hon. member knows, the Ontario Energy Board in accordance with The Ontario Energy Board Act, has quasi-judicial powers which, in the case of rate-setting, are similar to those of a court of law. The board considers all relevant material available and holds public hearings to allow all interested parties to present their views on any rate application. The government does not, as such, intervene or interfere.

I understand there are currently three applicants before the OEB in various stages of progress. Union Gas is in a phase 2 hearing, that is, examination of rate structure. Consumers' is just about to conclude a phase 2 hearing and Northern and Central is appealing a previous decision of the board regarding its revenues. These companies are closely regulated by the OEB and their rates of return and prices charged are set by the board. The most significant price increase has been caused by the federal government's setting of the Toronto city-gate price of natural gas,

the price at which about 99 per cent of Ontario supply must be purchased by the Ontario gas distribution companies.

On the same day, the hon. member for London Centre asked if we'd given any consideration to the Ontario—

Mr. Speaker: Order. Is this a related question?

Hon. Mr. Timbrell: No, it's a separate question.

Mr. Speaker: Do the answers go together? I think we should wait our turn then and we'll get you the next time around.

TEACHERS' NEGOTIATIONS

Mr. Foulds: I have a question for the Minister of Correctional Services and, if I could be presumptuous enough, I would ask the Minister of Education to listen too because it is related. Is the minister aware of the difficulties these ministries are continuing to have with the provincial schools authority teachers because they are failing to supply them with information they need for their contract negotiations?

In particular, is the Minister of Correctional Services aware that his ministry failed to deduct federation fees for its teachers for last year, that the federation has still not received those dues, that it has listed only 122 correctional teachers when there are 155 on contract and that several part-time Correctional Services teachers were denied pay for at least two months, even though they were members of the unit?

Hon. J. R. Smith: As to the first question, I'm unaware of that problem. With regard to the second part, I am aware that an error was made and the deductions for their dues were not deducted at the time. At present we're working with the representatives of the teachers to try to reclaim the moneys that are owing.

Mr. Roy: What about the number of teachers?

Mr. Foulds: Supplementary: Could the minister ensure that while he is doing that he doesn't try, as the ministry evidently did, to hit them for two years' dues in one lump sum, and instead phases it over a period of time so it doesn't come all out of one pay cheque?

Mr. Yakabuski: Put it on Chargex.

Hon. J. R. Smith: A number of ways have been suggested as to how these moneys can

be reclaimed from the teachers, perhaps on a several months basis. We are trying to have it resolved. I don't know whether or not it would be acceptable to the teachers' federation or not to have them pay in several parts or instalments, but I'd be very pleased to look at it.

RESIDENTIAL SCHOOL FOR HANDICAPPED CHILDREN

Mr. Sweeney: A question to the Minister of Education: Can he confirm that officials of his ministry are at present studying the feasibility of setting up a residential school for children with severe learning disabilities, such children now going to the same kinds of schools in the United States?

Hon. Mr. Wells: I can confirm to the hon. member that we are looking at alternatives to the programme of sending these children to the United States, but we're not looking at the alternative of setting up a residential school that would be run by this ministry in this province.

Mr. Sweeney: Supplementary: Since the bulk of the children, I think about 80 per cent, who are at present being funded by the Ministry of Community and Social Services in this way are between the ages of 11 and 16, and since that ministry does not believe it should be looking after these children, does the minister not believe his ministry should be?

Hon. Mr. Wells: I think my friend puts it in a rather simplistic way. What he means is that the school system of the province of Ontario should be. Yes, I do, and certainly that is the direction we're moving in.

Mr. Warner: You don't do it.

Hon. Mr. Wells: In other words, the programme should be available in the school system of the province of Ontario.

Mr. Warner: Obligatory.

Hon. Mr. Wells: If a residential component is necessary, the school system of the province of Ontario does not pay for basically residential accommodation. There are a lot of young people going to residential schools in this province for various reasons and the family pays for the residential and indeed the school part itself.

Mrs. Campbell: Mostly to get their education.

Hon. Mr. Wells: So the answer is yes, we think the school system in this province should provide for those young people.

Sometimes, as my friend knows, there's a difference of opinion as to whether it is or is not being provided. Some of the local school boards still claim they can provide an adequate programme for those children without the residential component. It may be the residential component—living away from the family in a residential and school environment—is helping the school programme and therefore is a better programme than the one they can get here.

We're not looking at providing residential schools in this province in the public sector.

Interjections.

Mr. Speaker: I think we just have time for the answer to the question that was taken as notice. Order, please. I think we'll go on to the answer to a question.

Mr. Foulds: If the minister is interested in establishing special education, why doesn't he enforce my private member's bill?

Mr. Speaker: Order, please.

ENERGY COSTS

Hon. Mr. Timbrell: Mr. Speaker, there was a further question which the Premier took as notice from the hon. member for London Centre who asked if the government has given any consideration to the Ontario Energy Board taking a role in the hearings before the National Energy Board with respect to rate basing or taking a position in that consortium for the pipeline.

I am assuming the hon. member meant the Ontario Energy Corporation not the Ontario Energy Board, inasmuch as the Ontario Energy Board is a regulatory body. The answer is that we are not considering an investment through the Ontario Energy Corporation in that pipeline. The ministry, as such, is an active participant in the hearings before the National Energy Board.

Mr. Speaker: The oral question period has expired.

Petitions.

Presenting reports.

REPORTS

Hon. Mrs. Scrivener presented the report of the Provincial Auditor for the year end-

ing March 31, 1976, and moved that it be examined by the standing committee on public accounts which will be appointed at the next ensuing session of the Legislature.

Motion agreed to.

Mr. Germa presented the report from the standing public accounts committee.

Mr. Speaker: Motions.

MOTION

Hon. Mr. Welch moved that notwithstanding any previous order, the House meet in the chamber on Wednesday, December 15, at 2 p.m.

Motion agreed to

Mr. Speaker: Introduction of bills.

Orders of the day.

[3:00]

FARM INCOME STABILIZATION ACT

House in committee on Bill 131, An Act respecting Farm Income Stabilization.

On section 1:

Mr. MacDonald: Mr. Chairman, during the course of our consideration of the committee stage of this bill, I will have amendments to a number of sections. I will state in advance that I think it would be appropriate for us to stack each of these amendments because they are interrelated and I think consideration of all of them before we come to a vote might be the best possible procedure.

Before I move my first amendment, may I make a couple of general comments, briefly, as I think is in order on the first section of a bill in committee stage.

The first point I want to make is that each of the amendments I shall be moving is an amendment which has been proposed by the general farm organizations in the province of Ontario. Indeed, the Ontario Federation of Agriculture stated when they came before the committee last week that without these amendments the bill is "next to worthless." And I think it is well that the House examine just how thoroughly the farm organizations, which of course have most interest in this legislation, have stated their case in terms of the unacceptability of the legislation as it now stands.

Mr. Chairman: I want to remind the hon. member that the first section is nothing more than a definition section.

Mr. MacDonald: That's right. And my first amendment will be a definition.

Mr. Nixon: Let's get to it.

Mr. MacDonald: We shall be getting to it. I am glad to see that you are very anxious.

Mr. Nixon: We heard this general palaver on second reading.

Interjection.

Mr. MacDonald: The first point that I wanted to make is to draw attention to the fact that the National Farmers' Union has stated that the principle of this bill is wrong, and therefore that it cannot be amended in any suitable form.

Mr. Nixon: How can you carry friends with all three of those organizations at the same time?

Mr. MacDonald: However, if I may move from that to the Federation of Agriculture, the federation, through its previous president—

Interjections.

Mr. Chairman: Can we have some order please?

Mr. Nixon: Why doesn't he make his amendment?

Mr. MacDonald: Have I got the floor, Mr. Chairman?

Mr. Chairman: You have indeed.

Mr. MacDonald: Thank you very much. The previous president of the Ontario Federation of Agriculture was very vigorous in his article in Farm and Country with regard to the unsuitability of this bill. We have already dealt with his comments in second reading; I shan't repeat them.

But I think it is well just to know the updated statement of the Federation of Agriculture. Its new president, Peter Hannam, said before the standing committee of the Legislature: "In our opinion, unless this bill is amended in the manner we request, few farmers, if any, will see fit to resort to the use of this Act." Later in his presentation he stated, "The bill as it stands offers little scope for negotiating anything of significance. The support level is set out as a minuscule maximum that in itself makes no—

Mr. Chairman: Those deal with the principle of the bill which we dealt with on second reading. You must confine your remarks to section 1 of the bill.

Mr. MacDonald: Mr. Chairman, with respect, these are dealing with the amendment which I am now about to make.

Mr. Chairman: We don't have an amendment before the committee at the present time.

Mr. MacDonald: If you will just bear with me for 30 seconds I shall make the amendment.

Mr. Chairman: I wish you would.

Mr. Nixon: Do you want to suspend the rules for 30 seconds?

Mr. MacDonald: His final comment, Mr. Chairman, was that "these are our recommendations with regard to the necessary amendments in the bill. We consider them necessary and by no means trivial—"

An hon. member: Alas!

Mr. MacDonald: "—without them Bill 131 is worth little." Therefore, Mr. Chairman, I proceed to the amendment.

Mr. Roy: What flexibility in your position.

Mr. Conway: You lost them there, Don.

Mr. Philip: We will see who has the flexibility.

Mr. Roy: That is like losing your virginity last week and going after the corporations.

Mr. Lewis: That's got to be a distorted report. That report can't be true. I wasn't there but I don't believe it, not a word of it.

Mr. Roy: I don't know how you can keep losing that—

Mr. Chairman: Will you carry on your private conversations outside the chamber, please?

Mr. Nixon: We are waiting for the amendment.

Mr. Chairman: Mr. MacDonald moves that subsection (c)(ii) of section 1 be deleted and the following substituted therefor: "the amount paid under The Agricultural Stabilization Act Canada."

We will restrict our comments to that amendment.

Mr. MacDonald: It is rather difficult to deal with the technicalities of this bill as we

anticipated on second reading. In our view in the New Democratic Party we really should have sent the bill back for redrafting where it could be done tidily. Now we have no alternative but to attempt to do it in what inevitably is a bit of an untidy fashion.

Subsection (c) of section 1 deals with farm product receipts and it defines them as, "means the amount ascertained and prescribed by the commission for the purposes of a plan as representing, for each unit of farm product, the sum of"—then they list three items which make up farm products receipts: firstly, "the market price"; secondly, in the bill as it now stands, "the amount prescribed under section 6(1)(c) as a stabilization factor"; and, thirdly, "any other moneys received or receivable by producers respecting the farm products to which the plan applies."

Here is where the government is engaged in—I don't know what is the appropriate word—subterfuge, sleight of hand or whatever you will. What the government said in effect, was: "We hope the government in Ottawa is going to name any product that needs assistance; and if they name it, then it will get 90 per cent. But even if they do not name it, this bill will be drafted on the assumption that they have named it." It is the strangest kind of situation that the government should draft a bill on the assumption that something will happen when the government itself concedes that it may not happen.

In his attempts to explain this rather difficult bill to the farmers and to the public after he introduced it, the minister himself noted, for example, that if perchance a product were not named by Ottawa so that it would become eligible to get coverage for 90 per cent of the average price of the last five years, then that payment wouldn't be coming from Ottawa and, therefore, the five per cent which this bill proposes to supplement would be paid, not on the basis of the 90 per cent, but on the basis of the market price. And it may well be that there are some products today—indeed, there are some products today—whose market prices slumped to 80 per cent, 75 per cent or even 60 per cent of the average of the last five years.

What the government is saying in effect, is that in the instance of those products, if they don't get named by Ottawa, all this government is going to do is to add five per cent to that market price; and if the market price happened to be 60 per cent, then the farmer can expect to get only 65 per cent of the average of the last five years. If you need anything more to indicate the inadequacy of the bill and the kind of sleight-of-hand

manoeuvring that the government engaged in, I don't think you need to go any further than that.

The government was instructed—certainly in the debate, if it wasn't nailed down in firm terms in the reasoned resolution that was passed last June, sending the government back to the drawing boards—that what we should have was a bill that would be comprehensive; in other words, it would be available to all products in the province of Ontario. The government has come in with a bill which is technically comprehensive, but in fact it is not comprehensive. It is technically comprehensive in that it says that those products which are named in Ottawa will be covered by 90 per cent of the average of the last five years by Ottawa and the government will add its five per cent. For those products that are not covered by Ottawa, the government is counting on the assurances, both verbal and written, of Gene Whelan that they will then move to name them; and if they name them, the government will add its five per cent to the 90 per cent that they provide. But if they don't name them, the government's five per cent is only going to be added to the market price.

I want to put on the record just how inadequate that kind of situation is. I want to put it in the terms of Peter Hannam, the new president of the OFA, who came before the committee last week. His comments with reference to section 1(c)(ii), were these:

"We object in the most strenuous terms to including in farm product receipts a hypothetical return, had the federal government supported the product (the assumption is it has not) under The Agricultural Stabilization Act. Surely it is folly to pretend to stabilize farm returns when there is included in the formula, a factor to lay squarely on farmers the risk of irresponsible federal administration of the law—a factor that is designed precisely to protect the Ontario government from sharing that risk. No group could but protest against a measure that excluded it from admittedly justified assistance on the basis of a contrary-to-fact condition; assuming a return that was non-existent."

That is the view of the Federation of Agriculture—

Mr. Nixon: What is that contrary-to-fact condition?

Mr. MacDonald: I feel rather confident that the farmers' union would agree too, except that unfortunately we didn't have the benefits of their submissions to the standing

committee because their convention was being held in Edmonton at the same time and none of them was able to attend.

Before I take my seat on this point, let me turn to an attempt to clarify what appears to be the Liberal position at the present time. I have given up on the Tories.

Mr. Conway: We have given up on the NDP.

Mr. MacDonald: I know you will. I know you will.

Mr. Nixon: By the way, doesn't your amendment involve the expenditure of public funds?

Mr. MacDonald: In fact, Mr. Chairman, they have given their position but I just want to turn to an area on which I would like to seek some clarification.

For example, the hon. member for Brant-Oxford-Norfolk, in his comments on page 5055 of Hansard, on second reading, made this comment: "My colleague, our agricultural critic, the hon. member for Huron-Middlesex, has indicated that he has confidence that the federal plan can be expanded quite readily to include any programme that is requested by the growers concerned." Admittedly it can be expanded if we can be assured that it always will be expanded, but as Peter Hannam has pointed out on behalf of the OFA, we haven't got that assurance in ironclad terms and without that assurance you have got an inadequate thing in the bill.

However, the interesting thing is that the member for Brant-Oxford-Norfolk was referring to his agricultural critic and what he has said, and this is what I want to draw to the attention of the House and particularly to my Liberal colleagues in the hope that they will clarify it. For example, on page 4993 and following, the hon. agricultural critic for the Liberal Party made this comment:

"On the other hand, the OFA president condemns the bill for only offering a five per cent payment for some commodities. Those would be ones that are covered by neither the federal government nor by price-controlling marketing board. Certainly the minister was prepared to support those commodities at the 90 per cent level in Bill 96, similar to the main commodities under the federal stabilization programme. I personally fail to see why the minister is not prepared to give that kind of support to those commodities under Bill 131, considering that his estimate of cost for supporting those same commodities under Bill 96 was \$7 million and under this

plan the government would pay only two-thirds of that."

A little later he made this comment: "Needless to say, in the absence of a federal stabilization plan for farmers, this bill would be completely inadequate, and to have any meaning, the provincial plan would have to give full protection to all farm commodities. In many ways Bill 96 was better than this bill in that it would support commodities at the same level as the federal plan for those commodities that were neither named nor designated under the federal plan."

He finally commented as follows: "Obviously the federal programme is inadequate, and yet Bill 96 provided a stabilization programme identical to the federal plan which the Minister of Agriculture and Food himself called inadequate. In his own words, the minister said there are inadequacies in the federal programme, and yet he was prepared to leave anything that was covered by the federal programme under the inadequacies, and set up a provincial programme that was identical."

I think, if I understand it, what the critic for the Liberal Party stated was that in his view this bill should cover all products. That's what Bill 96 did. The cost was only going to be \$7 million. The cost now will be only two-thirds of that because the farmers are now going to be contributing and therefore, Mr. Chairman, I submit that this is a motion which is the first of two amendments. The second one, in section 6, will have to deal with this government tactic of trying to define out products which it was my belief in this House was the solid united view of the opposition parties should not be defined out. They should be defined into the bill and given at least the kind of coverage that is given in Ottawa plus—

Mr. Nixon: If they are not going to cover it, we are going to cover it.

Mr. MacDonald: —the five per cent—

Mr. Nixon: Why not have Ottawa cover it?

Mr. MacDonald: —that we are proposing to ask.

Mr. Nixon: Why not use their money, not ours?

Mr. Wildman: But you don't know they are going to cover it.

Mr. Nixon: Yes, I do.

[3:15]

Mr. MacDonald: Peter Hannam is not sure either, so have a chat with him.

Mr. Nixon: Peter hasn't got the same political confidence in the government that I have.

Mr. MacDonald: Maybe he is speaking on behalf of the farmers while you are speaking on behalf of the Liberal Party. That may be the difference.

Mr. Chairman: Order, please.

Mr. MacDonald: You are right, Mr. Chairman, I should address my remarks to you.

Mr. Chairman: We are dealing with your amendment to section 1 of this bill. Restrict your comments to it.

Mr. MacDonald: I have made my remarks as to the first of two amendments. The second will have to come in section 6, which is to achieve the basic principle of comprehensive coverage which the farm organizations feel very strongly is a necessity, if this bill is going to be worthwhile.

Mr. Chairman: Before I recognize the hon. member for Huron-Middlesex, there is some question in the mind of the Chair whether or not this amendment is appropriately put since it does seem to me to involve the expenditure of public funds. I would like to hear some comment on that from the committee before I make up my mind as to whether we can accept this amendment.

Mr. MacDonald: Could I make a brief comment on that?

Mr. Nixon: On the point of order you raised, Mr. Chairman—

Mr. Chairman: It is not a point of order. It is the Chair thinking out loud.

Mr. MacDonald: Just a brief point on that. I grant you that this may involve the expenditure of funds. We have been told by the ministry that this bill is likely going to involve the expenditure of some \$70 million a year. I am willing to lay my life on the line that in the first year, with the inclusion of all commodities as achieved through this amendment, you won't get within reaching distance of \$70 million a year. Indeed it was that very point that led Gordon Hill to say; "Who are Bill Davis and Bill Newman trying to kid?"

Hon. Mr. Henderson: We hope you are right.

Mr. Nixon: On the point, and I don't believe I can refer to the point without referring to some of the arguments the hon. member has put forward on behalf of his amendment, the whole point of the amendment put forward by the member for York South is to put the province of Ontario into the subsidy-paying or stabilization—paying procedure whether or not the government of Canada is involved. Frankly our argument from the Liberal Party is that we want the support to go to the farmers, but why should we not use a federal programme if it is in place? Why should we not use federal dollars in place of provincial dollars if the net result is the same? That is precisely our point.

On the discussion that you raised, Mr. Chairman, as to whether this will spend money, the whole point of the amendment is to pay provincial dollars instead of federal dollars. Our position in this party is that the payments go to the farmers. We believe, although we have no assurance, in the statements made by the government of Canada that the designation at the federal level will see federal dollars go to the farmers. On this point the very amendment is to replace those federal dollars with provincial dollars. We don't see whether that is in the interest of the farmers or the provincial taxpayer or, on the point you put forward, that it is even in order.

Mr. MacDonald: You are confusing the issue.

Mr. Chairman: I would like to hear further debate on it. I will recognize the member for Huron-Middlesex.

Mr. Riddell: I don't know if I can add too much to what my colleague has already said, other than I feel personally that this does involve an expenditure of money. From my limited experience here only the minister can make an amendment that does involve the expenditure of money. I would say that the member is out of order in his particular amendment. Our approach has always been that any stabilization programme should have federal participation. If we are going to support all commodities at the 95 per cent level, then we are simply withdrawing pressure from the federal government to designate those commodities under the federal stabilization programme.

I have here a statement that was made by Mr. Whelan at a federal-provincial conference. He states: "There has been some uncertainty expressed as to whether or not

support would be offered under the federal programme to commodities that are not named under the Act. I can indicate to you that any agricultural commodity which is produced in significant quantities in Canada will be supported under the federal programme if the need for the support can be demonstrated." So we have no reason to doubt the integrity of the federal Minister of Agriculture.

Mr. Wildman: What about cow-calf producers?

Mr. Riddell: I am somewhat concerned that if we support all commodities at the 95 per cent level, which the NDP agricultural critic would like to have—

Mr. MacDonald: Oh, no, you are missing the point. We will come to that later.

Mr. Riddell: —then the federal minister is simply going to say: "You have your provincial programme in place. Your commodities are already supported at the 95 per cent level; I'm not interested in rendering any support for that particular commodity out of the federal stabilization programme."

We definitely feel, I repeat, that any stabilization programme should be set up on a national basis. We shouldn't be giving the federal Minister of Agriculture any excuse to opt out of a programme or out of stabilizing a product. This is exactly what this amendment would be inclined to do.

Mr. Nixon: On the point you raised, Mr. Chairman, in my view it would be unfortunate if this whole debate were ruled out of order because of the concept of the expenditure of public funds. It is not clear, and it's not clear in your own mind, whether or not the passage of the amendment would mean a clear expenditure of public funds. It may be argued either way.

The advice I would give you is that it would be supportable certainly from any reasonable and objective source, it seems to me, for the position to be debated here and decided by vote of the House since it is a matter which far transcends simply the expenditure of provincial dollars as opposed to federal dollars. I would advise you to accept the amendment that has been put forward, let the House debate it and then, in the wis- going to name all these additional products

Mr. Chairman: Does the minister have a comment at this time?

Hon. W. Newman: Yes, Mr. Chairman. I would point out that the whole purpose of

this bill and in bringing it forward was to set it up in such a way that we could concur with all the agricultural organizations in this province; we want a truly national programme. I think that is part of the purpose of this bill—that at a later date we can move into a truly national programme.

If this amendment was accepted—I'm not prepared to accept it myself—it would mean the expenditure of additional dollars which have been, by and large, committed in a statement and by word of mouth on a radio programme which we happened to tape, by the federal Minister of Agriculture. He said that when the need is there he will fulfil it.

There are eight named commodities now; he has named six more commodities since last June when we had our debate in the House. I have every assurance that they will cover it under ASA 75, better known as Bill C-50.

To ask us at this point in time to expend additional provincial dollars—it's not only provincial dollars; the whole principle of the bill would be changed. The whole principle of what we're trying to do would be altered by accepting that amendment.

Mr. Swart: I would say a word or two about the order of the amendment. It seems to me, as was pointed out by the member for Brant-Oxford-Norfolk, that it doesn't specifically provide for additional expenditures of money. This could happen but it does not specifically provide for that; it says up to 95 per cent in a later clause. This particular amendment proposes that we make it more comprehensive.

If what the Minister of Agriculture says is true, that it's going to be all covered by the federal government, I suggest that there would not be any additional expenditure of money. There are no direct instructions or legislation for additional expenditure of money.

I have to say, if I may speak briefly to this amendment, that I really don't understand the opposition either across from us or to our left to this comprehensive inclusion. It seems to me that only two things can happen: One, as I say, is that the federal government is going to name all these additional products as the need arises. Then, of course, there won't be any additional money spent and there's no disadvantage to having this clause in the bill.

Mr. Nixon: With this amendment there won't be any need for a federal designation because the money will come from the province. Eugene has integrity but he's not dumb. If somebody else can pay the bills, why should he?

Mr. Chairman: I will recognize the hon. member for Brant-Oxford-Norfolk in his turn.

Mr. Swart: If the argument is that the federal government is going to designate these products, then surely there is a basic and fundamental need for this coverage. I'd go so far as to suggest that if you couldn't have both the five per cent additional, the 90 to 95, and the comprehensiveness, then we should have the comprehensiveness, because many farmers can suffer substantially in the production of certain farm products if there is not coverage for those under the income stabilization plan.

The farmers have stated that they want the comprehensive coverage. In addition to what the member for York South has said, the brief from the Ontario Federation of Agriculture to the committee that was sitting on this made these comments.

Pardon me, I am on the wrong page.

Mr. Nixon: You may be reading the wrong statement, too.

Mr. Swart: No, I assure you I won't do that.

Mr. Nixon: There are quite a range of statements from the federal government on this.

Mr. MacDonald: No, there are not. They are very clear in their thrust.

Mr. Swart: It would mean that for all commodities not named the Ontario government would, as it proposed to do in earlier Bill 96, support all commodities between the actual average return received including any federal stabilization payments, and the Ontario stabilization price for that product. It is saying that they want them to include the comprehensive coverage of all products.

More than that, just recently—as a matter of fact, last Wednesday—the Niagara Peninsula Fruit and Vegetable Growers Association held a convention in Niagara Falls. The report of that convention says this: "The Niagara Peninsula Fruit and Vegetable Growers Association is officially opposed to the farm income stabilization legislation that is now before the House." This was in the report which was adopted. "Because of its loopholes it is inadequate, the committee concluded." So they are in opposition to this plan as it is at the present time. Let me say to you that there is some significance in the position which they took at Niagara Falls. Because first of all, at the present time practically no fruit is covered.

Hon. W. Newman: Were you at that meeting? I was, so be careful.

Mr. Swart: I am quoting from the report and somehow or other I think there is some validity to the report which was adopted at that conference.

The significance is that at the present time fruit is not covered, peaches have not been covered, grapes are not covered. Of course, these are the two main products of the most sensitive agricultural area in the province. And yet they are not covered under the federal stabilization programme and wouldn't be covered under the bill which is proposed here.

Mr. Nixon: The federal government bought all those grapes this year. There was a special support programme for grapes.

Mr. Swart: The fruit and vegetable growers association also said in that same report and I quote: "We suggest that the Niagara Peninsula Fruit and Vegetables Growers Association could support provincial legislation which provides a total integrated policy for land-use planning, property taxation and farm price support." I suggest that if the government of this province is interested in preserving the prime agricultural land—and of course, there is no evidence that they are; we are, that's one reason we want to see this covered—they are going to have to take some action to meet those three demands of the Niagara Peninsula Fruit and Vegetable Growers Association.

For that one location alone I suggest that this amendment should be passed, because it would at least give some proof to the Niagara Peninsula Fruit and Vegetable Growers Association that the government means it if they say they are going to give them some protection, from the price point of view, for the viability of the agricultural industry in that area.

Mr. Riddell: I'd just like to draw to the attention of the former speaker, the member for Welland-Thorold, that the federal government did buy quite substantial quantities of grapes this year—

Mr. Swart: Buy.

Mr. Riddell: —so they certainly did help the grape producer. As a matter of fact, the grape producers tell me that there are very few grapes left on the vines down in the Niagara fruit belt.

[3:30]

Mr. Swart: That's not the issue.

Mr. Riddell: If the provinces had control over imports I would say there would probably be some merit in what the NDP is asking for. But we have no control over imports. It's strictly controlled by the federal government.

Mr. Swart: You mean lack of control.

Mr. Riddell: Therefore we do not feel that each province should come in with a programme whereby all commodities are stabilized at the 95 per cent level because it definitely does lead them to incentive pricing or top loading or whatever you may call it.

Mr. MacDonald: Oh no.

Mr. Swart: It's not the low prices.

Mr. Riddell: I want you to listen to what the federal Minister of Agriculture has to say about this matter:

"Given that the government is fully convinced that the level of support provided by The Agricultural Stabilization Act does provide adequate protection to producers under most circumstances, and given that there is a serious danger that higher levels of support would result in problems of over-supply, the government is not prepared to enter into top-loading agreements with provinces to provide levels of support above the minimum ASA 75 level on a continuing basis.

"Producers who want greater assurance of stability should seek it through marketing systems which assure management of supply and avoidance of surpluses."

Mr. MacDonald: They are going to pull out.

Mr. Riddell: A little further along in his statement he says: "I have indicated that ASA 75 provides, in our judgement, adequate protection in most cases and the provision of standby top-loading funds could provide protection in these situations where this is not the case. In these circumstances the federal government will not, as required by the Act, make payments under the support programme provided by ASA 75 to producers in any province that has a provincial programme which provides a level of support above that provided by ASA 75."

Mr. MacDonald: They're going to pull out.

Mr. Chairman: Order.

Mr. Riddell: This is just the point we're trying to make. The minister has said that if we're going to come in with a provincial programme to support all commodities at

the 95 per cent level he's prepared to withdraw support under the federal programme and we don't want this.

Mr. MacDonald: Where is his integrity?

Mr. Riddell: We want the federal Minister of Agriculture to participate in any stabilization programme.

Mr. MacDonald: Let me deal with the last point that has been raised. This is a case of sheer, unadulterated bluff by Gene Whelan.

Mr. Chairman: Please speak through the Chair, please.

Mr. MacDonald: All right, through the Chair. For months now Gene Whelan has been saying, "If there's any top-loading by a province we'll pull out our basic support." B.C. has been top-loading for months, and he hasn't pulled out his support. This whole bill is useless if Gene Whelan is going to pull out his 90 per cent. It would mean there's going to be no coverage at all because any time you add five per cent they're going to withdraw their 90 per cent.

Mr. Nixon: He is not going to pull it out.

Mr. MacDonald: I thought I heard, sotto voce, from the hon. member for Brant-Oxford-Norfolk that he's not going to do it. He's a man of integrity. He's not going to do it. Let's argue one way but not both ways. If he's not going to do it, let's not argue that we can't—

Mr. Kerrio: He wouldn't dare.

Mr. Nixon: You are the one who said he had no integrity.

Mr. MacDonald: Let me make the second point I wanted to make. I suggest that the Liberal Party can't have it both ways. If Gene Whelan is a man of integrity who isn't going to withdraw his 90 per cent if it is top-loaded at five; or if Gene Whelan is a man of integrity who is going to name any product which needs coverage not only for the province of Ontario but for the whole country—he happens to be Minister of Agriculture for Canada—there will be no need for us to move in to cover that 90 per cent.

He's a man of integrity. He's going to do it—but there may be some circumstances in which, in the instance of the province of Ontario, he doesn't move. That was precisely the circumstance which was envisaged by the Federation of Agriculture and Peter Hannam when he said we shouldn't have

this mythical payment from Ottawa when it may not be paid.

If it is paid, fine; there will be no pressure. There will be no pressure for the province of Ontario to move in and take away the responsibility for Ottawa to build a genuine national plan. That man of integrity will do it.

I don't know what the word is but you can't have it both ways.

Hon. W. Newman: One or two things which have been talked about here today concern me to some degree. I cannot see this province—the province of Ontario—committing dollars when we have the assurance from the federal people and hopefully we will be able to get some further assurances tomorrow when we again discuss stabilization in Ottawa, that they will cover up to 90 per cent on any needed commodity.

I was very interested in what the member for Welland-Thorold said, "What about the people who need some help this year?" Outside of the eight named commodities, the federal people have already said in the 1975 crop year—these are the commodities they have added to the eight named commodities that are already in Bill C-50. Baby carrots are covered; sweet cherries are covered—these are only the ones that the payouts were in—baby carrots, sweet cherries, summer pears, prune plums, apples, raspberries, greenhouse tomatoes and cucumbers. So don't talk to me about some of the commodities of the Niagara Peninsula. I mean, that's just ridiculous. And you know, all commodities under our bill—

Mr. Nixon: The member for Welland-Thorold wasn't at the meeting, you say.

Mr. Swart: If you knew the Niagara Peninsula, you'd know that grapes and peaches are the main crops, not the ones you mention.

Mr. Chairman: Order, please.

Hon. W. Newman: I am fully aware of the grape situation in the Niagara Peninsula. We've had two excellent years. Last year we stepped in and bought thousands of tons of grapes. This year—

Mr. Nixon: That was election year, right?

Hon. W. Newman: We also moved in this year—

Mr. Nixon: Yes.

Hon. W. Newman: —and guaranteed the payment for 3,000 tons.

Mr. Nixon: Well, this may be an election year too. It's when you have a majority that you don't do anything.

Hon. W. Newman: And I hope in three year's time, as well as drinking Ontario wine you'll drink Ontario brandy to help use up the surplus.

Mr. Nixon: Are you personally going to save the industry?

Hon. W. Newman: I am convinced that the national part of this plan, which I think is very important—I think we all agree; I think in all three parties we agree—

Mr. MacDonald: Yes.

Hon. W. Newman: —we need a national stabilization programme. Perhaps some of the efforts we made last June may have had some bearing on this overall federal picture.

I'll tell you this, if we keep going at the same rate as we have in some of the other provinces, I look down the road and if each province brings in its own programme and we don't have any sort of national programme across this great country of ours, then I just see us balkanizing one province against the other and creating some very serious problems.

Mr. MacDonald: That's a phoney argument.

Hon. W. Newman: You see, you don't have faith in the agricultural community because you're always worrying about what the payout will be.

Mr. MacDonald: Ah, come on.

Hon. W. Newman: I have faith in the efficiency of the farmers of this province and what they can do. They can produce, given the opportunity. I'm not going to go into some of the problems we face in other commodities today. I just cannot accept this amendment which is spending provincial dollars and which destroys the aspects of a national plan.

Interjections

Hon. W. Newman: What you're asking for here today is breaking away from really trying to do a proper job on a national basis.

Mr. Warner: You've figured out how to grow baloney.

Mr. Chairman: The Chair has heard enough debate from all sides of the House to reach a decision as to whether or not the

amendment proposed by the hon. member for York South is in order. I want to thank all the members for assisting the Chair in this, as to whether or not it would involve the expenditure of public funds. I'm convince that it would.

I want to refer members of the committee to section 56 of The Legislative Assembly Act which says:

"The assembly shall not adopt or pass any vote, resolution, address or bill for the appropriation of any part of the consolidated revenue fund or of any tax or impost to any purpose that has not been first recommended by a message of the Lieutenant Governor to the assembly during the session in which the vote, resolution, address or bill is proposed.

And in our standing orders, section 86 says:

"Any bill, resolution, motion or address, the passage of which would impose a tax or specifically direct the allocation of public funds may not be passed by the House unless recommended by a message from the Lieutenant Governor and may only be proposed by a minister of the Crown."

For those reasons—

Mr. MacDonald. Mr. Chairman, may I ask you a question?

Mr. Chairman: Yes.

Mr. MacDonald: Do you accept the argument of the minister and of the Liberal Party that they have the faith that the minister in Ottawa will move to cover any products? Because if they do, there will be no expenditure of money.

Mr. Nixon: Order. That is not debatable.

Mr. Chairman: I am about to make the ruling and it was made mostly on your admission that it would involve the expenditure of some public funds. You said it wouldn't cost near \$70 million.

Mr. MacDonald: That's right.

Mr. Chairman: And so on that basis, I declare it out of order.

Mr. Eaton: Go ahead and challenge the Chairman's ruling.

Mr. Chairman: Any further comment on any other section of the bill?

On section 2:

[3:45]

Mr. Chairman: Mr. Riddell moves that a new subsection 3 be added to section 2 and that subsections 3 to 7 be renumbered as subsections 4 to 8. This would introduce into the bill a subsection 3, which would read as follows:

“(3) Three members shall be appointed, one to represent each of the Christian Farmers’ Federation, the National Farmers’ Union and the Ontario Federation of Agriculture on the following basis: (i) Each such organization shall, in every year before the 31st day of March, nominate to the Lieutenant Governor in Council one person for membership in the commission; (ii) the Lieutenant Governor in Council shall appoint the nominee from each organization as a member of the commission before the 30th day of April in that year, to hold office until the 29th day of April in the year next following.”

He further moves the addition of a new subsection 9, which reads as follows:

“(9) The failure or refusal to nominate three persons by any of the organizations referred to in subsection 3, or the consequent lack of appointment of a person to represent such organization, or the failure or refusal of any member appointed in accordance with subsection 3 to act, does not affect the status of the commission, the carrying out of its powers and duties under this Act or the validity of any order, direction or regulation made by it.”

Mr. Riddell: I think the amendment is fairly self-explanatory, Mr. Chairman. We feel that the farmer organizations should be able to appoint at least one person to this commission so that we can be assured that at least three members of the commission will be spokesmen for or representatives of the farmers across Ontario. We don’t feel that we should leave it entirely to the Lieutenant Governor in Council to make the appointments. Granted, the minister has indicated he would try to appoint members on this commission who would represent a cross-section of the farming community in Ontario, but we want to be assured that the farmers are going to be represented.

We recognize three farm organizations here in Ontario—the Christian Farmers’ Federation, the National Farmers’ Union and the Ontario Federation of Agriculture—and we see no reason why they shouldn’t have the opportunity to appoint directly to the commission and then leave it to the Lieutenant Governor in Council to make whatever other appointments it may wish.

Mr. Chairman: I’d like some guidance from the mover of the motion. Subsections 1 and 2 specifically direct, by the word “shall,” and then the new subsection 9 says “failure to do so.”

Mr. Nixon: No, that’s failure; it’s failure of the organization.

Mr. Riddell: Yes, of the organization. To give you an example, the Christian Farmers’ Federation is not too much in favour of this bill. So if the Christian Farmers’ Federation refuses to appoint—

Mr. MacDonald: Neither is the OFA.

Mr. Riddell: —someone to the commission then this doesn’t hold up the proceedings. In other words, the minister can then go ahead and make an appointment in place of the one that was supposed to have been made by one of the farm organizations. In other words, we don’t want one farm organization to be able to stymie this thing.

Mr. MacDonald: Mr. Chairman, if I may speak to the point you have raised. I think you’ve got a point, there’s a lack of logic in the structure here. If it isn’t absolutely mandatory—and I don’t know how you can make it mandatory—that they should appoint somebody, then the word shouldn’t be “shall” but should be “may.” “Each farm organization may in every year make an appointment” and then in your new subsection you, in effect, say that if they don’t that doesn’t alter the capacity of the commission to carry on and do its business.

Unless you are going to come in with some other amendment or there is some other means by which you can, in effect, order a farm organization whether it wants it or not, then you have to change “shall” to “may.”

Mr. Riddell: I see no reason why we can’t accept that.

Mr. Chairman: The legislative draftsman draws my attention to section 1 which deals with three persons where it might appropriately deal with one person. I would entertain a thought of standing the section down if you wanted to talk it over with the legislative draftsman.

Mr. Nixon: I am not sure I understand the objection that the draftsman has raised.

Mr. Chairman: The draftsman doesn’t raise questions, he points out to the committee that there may be some ambiguity in the amendment and he would be available to dis-

cuss it with them. He can't propose changes to the committee.

Mr. Nixon: It may be that it requires further discussion, but as I understood it, and my hon. friend put it forward, the three designated organizations may make a nomination, the minister then may appoint them but he shall appoint five people to the board.

Mr. Chairman: It is not up to me to justify what's in the amendment. If you want it placed in that way—

Mr. Nixon: If you would ask us to stand it down for further discussion I guess we can do that without any trouble.

Hon. W. Newman: Mr. Chairman, basically I have no objection to the principle of the amendment. As I indicated in my statement on second reading, as I indicated to the standing committee, if there is some legal wording I am not a lawyer and it should be corrected.

As to the basic principle of what we are talking about, I see nothing really wrong with the amendment that has been brought forward by the member for Huron-Middlesex. I don't see any objection to it and I haven't received any word from legal counsel up here yet saying that it is wrong.

Mr. MacDonald: Mr. Chairman, can we proceed with the debate while any clarification is sought?

Mr. Chairman: Is it agreed that we will stand this down until we get some clarification?

Mr. Riddell: I don't know whether that will be necessary, Mr. Chairman, because if we simply substitute the word "shall" in each case for "may," in other words, three members may be appointed, one to represent each of the Christian Farmers' Federation, the National Farmers' Union, and the Ontario Federation of Agriculture on the following basis, each such organization may in every year before March 31 nominate to the Lieutenant Governor in Council one person for membership in the commission. Then the Lieutenant Governor in Council shall appoint the nominee. In other words, if the farmers' organization nominates a person to sit on this commission then the Lieutenant Governor in Council has to appoint that person as one of the members on the commission. Apart from the second part of subsection 3, I feel the Lieutenant Governor in Council has to appoint the nominee, shall appoint the nominee,

but in the other two cases I would think that "may" could be substituted for "shall" there.

Mr. MacDonald: Mr. Chairman, can I proceed with comments while we are checking—

Mr. Nixon: Mr. Chairman, if I might just make a comment, the legislative draftsman has brought to my attention that in the second part of my hon. friend's amendment it says "the failure or refusal to nominate three persons by any of the organizations referred to." It was pointed out that if you are going to have three people from three organizations, that might be construed as nine. Certainly there is no such intention. The three refers to one from each organization. If you'll permit us, we would like to change the word "three" in the first line of the amendment to subsection 9, to "one."

Mr. Chairman: All right, and making the same changes in subsection 3(i) and (ii).

Mr. Nixon: Yes.

Mr. Chairman: Is that understood? Just to avoid any confusion so we know what we're doing here, Mr. Riddell moves that section 2 of the bill be amended by adding thereto the following subsection and the remaining subsections be renumbered accordingly. "(3) Three members may be appointed one to represent each of the Christian Farmers' Federation, the National Farmers Union and the Ontario Federation of Agriculture on the following basis: (i) each organization may in every year before the 31st day of March nominate to the Lieutenant Governor in Council one person to the commission. (ii) the Lieutenant Governor in Council shall appoint one person a member of the commission before the 30th day of April in that year to hold office until the 29th day of April in the year next following."

Mr. Riddell further moves that section 2 of the bill be amended by adding another subsection, 9, which will read:

"The failure or refusal to nominate a person by any of the organizations referred to in subsection 3 or the consequent lack of appointment of a person to represent such organization or the failure or refusal of any member appointed in accordance with subsection 3 to act does not affect the status of the commission, the carrying out of its powers and duties under this Act, or the validity of any order, direction or regulation made by it."

Mr. MacDonald: May I draw your attention, Mr. Chairman, to the concluding four

words in section 2(1) which say: "the Farm Income Stabilization Commission of Ontario, which shall be a corporation without share capital responsible to the minister."

In other words even though these men may be nominated by these three organizations and even though they are appointed, this is going to be a minister's commission responsible to the minister. In the final analysis he can do as he's done, for example, in the instance of the egg board recently. He can take such steps as he wants to get rid of anybody on the board that he thinks is not playing the game according to the rules as he interprets it.

What we want in this bill and what the farmers in the province of Ontario are seeking is a meaningful role in which they will have the capacity to negotiate. This is going to be one side of the negotiating table; the Farm Income Stabilization Commission is going to be the government side, representing the government which, in turn, will represent the public. That's fair enough, but this is not going to be the body that will represent the farmers. There should be one, and we will move an amendment later to try to provide an opportunity for the establishment of a legally constituted farmers' organization, representative of farmers' commodities groups and general farm organizations, to be able to negotiate with the Farm Income Stabilization Commission.

My reaction to this is the same, for example, as Peter Hannam's reaction before the standing committee. If you want to make that change, go ahead and make it. It makes no difference because the commission is the minister's commission anyway.

Mr. Nixon: I would like to speak to the point that has been raised and I know the minister wants to as well. I don't see how the stabilization programme can work without a commission to administer it. It may be that the hon. member for York South figures that some Bay Street lawyers could be appointed to that commission and they would be responsible to the minister and carry out his will.

That may be and he says it doesn't make any difference either way, but from our point of view we feel that the administration should be in the hands of bona fide farmers who have the confidence of the recognized farm organizations. The fact that the bill says it is responsible to the minister simply means, surely, that the minister is responsible to this House for the funds it is going to pay out. There is no thought that we set up something completely independent which

would have a key to some treasury the taxpayers pay into and would pay out of those funds as it sees fit. Surely we have a democratic responsible government and this is the way it must function.

The hon. member for York South is correct when he says there should be some procedure whereby the farmers can negotiate with the commissioners. We have the established farm organizations and marketing boards now and it will be interesting to see what proposal he brings forward. We already have democratically elected executives to the farmers' organizations and I hope we are not going to surround them with some tangle of bureaucracy which is in any way going to interfere with the work they do.

I am not entirely happy with the amendment put forward by my colleague from Huron-Middlesex because we all know that although there are three recognized farm organizations, they represent vastly differing numbers of farmers. In other words, as spokesman for the farm community, the federation is by far the most numerous and strongly supported organization in the province. The other two have histories of accomplishment of different lengths and effectiveness and they have been recognized.

On a commission of five members it seems to be reasonable, surely—in the early years of the commission at least—that each of the organizations be represented. One of the alternatives we should be thinking about when we look at this bill and the functioning of this commission in the future is that perhaps the farmers, through their organizations, can be given an opportunity to elect the members of the commission themselves.

It is quite possible that might be so or an alternative might very well be the bargaining structure which the hon. member for York South is thinking about. There would be elected from among the farmers some group which would be tantamount to a comparison of the Milk Commission and the Milk Marketing Board. This is a possible alternative as well but as we are just starting up this stabilization procedure we, in the Liberal Party, felt that in the administrative functioning board there should be, by law, the requirement that nominees from the three recognized organizations be put to the minister and, by law, he should be required to appoint them to the board.

My colleague has dealt very well with the possibility that a farm organization either now or some time in the future might choose not to participate. We have tried to include in

our amendment the mechanism for such an eventuality so that the commission would continue to function if such a matter did come forward.

Mr. MacDonald: Perhaps I should add a word because I may have left the wrong impression. I am not opposing the amendment. I agree that if this is all we are going to get—and I don't feel confident, in view of the atmosphere I detect on the other side of the House, that we are going to get a genuine farm committee able to negotiate—if this is all we are going to get then I agree the commission would be better to have three farmers on it.

I also agree with Peter Hannam in his submission on behalf of the OFA to the standing committee. This really isn't a very important issue. He says, "I don't care what you do" or words to that effect, because it is the minister's commission. True, it is going to be administering the whole thing but he even went so far as to say he wouldn't bother having it appointed now unless we had the other amendments, passage of which seems to be rather threatened in the House this afternoon, because the commission would have nothing to do. No farmers will bother to pay any attention to the bill.

Mr. Chairman: Any further discussion on the amendment? The hon. minister.

Hon. W. Newman: In order that we get the wording of the amendment correct for the hon. member over there. Under section 2, subsection (3) item (i), on the fourth line "to the Lieutenant Governor in Council"—where it says one person, it should be "a person." It is just a matter of legal clarification.

Mr. Nixon: What's that difference? What's that distinction?

[4:00]

Hon. W. Newman: "One person" instead of "a person."

Mr. Nixon: Give that man a QC.

Hon. W. Newman: It would now read: "Each such organization may, in every year before March 31, nominate to the Lieutenant Governor in Council a person for membership in the commission."

Mr. Roy: If you hadn't spotted that, it would have ruined the whole bill.

Hon. W. Newman: That is right.

Mr. Nixon: What is the difference between "one" and "a"?

Hon. W. Newman: I don't know. You ask the lawyers.

Mr. Nixon: We are surrounded by them. I don't hear anything from them.

Hon. W. Newman: Under subsection 3(2), Mr. Chairman, I am told the correct legal wording is: "The Lieutenant Governor in Council shall appoint a nominee as a member of the commission before April 30 . . ." and so on.

Mr. Roy: Yes, that is much tidier there.

Hon. W. Newman: Also, the proposed subsection 9 should read, "the failure or refusal to nominate a person," rather than "one person." If you are agreeable to that, it is just the legal wording to make it clear.

Mr. Wildman: Don't fight about that.

Mr. Riddell: No, but I am a little concerned in the second part, where it says the Lieutenant Governor in Council shall appoint a nominee. We have indicated that the three major farm organizations may appoint a nominee; now we are saying the Lieutenant Governor in Council must appoint that nominee—not just any nominee, but that nominee.

The three major organizations will each appoint one person for membership on that commission, and the Lieutenant Governor in Council shall appoint the nominee who has been appointed by the major farm organizations. I don't see why you want to change "the" nominee to "a" nominee. It sounds to me again as if the Lieutenant Governor in Council is going to be able to appoint anybody it wants.

Hon. W. Newman: No, the whole purpose of doing this was so that the nominee of each particular farm organization would be appointed to the commission by order in council. If you want to leave it that way, the lawyers say it can be worked either way now. You know, they change their minds. I am easy.

Mr. Samis: How much did you pay for that advice?

Mr. Roy: Do you want me to get up and argue both sides?

Mr. Nixon: Let's leave it then.

Hon. W. Newman: All right. Leave it. I will accept it as it was worded.

Motion agreed to.

Section 2, as amended, agreed to.

Sections 3 to 5, inclusive, agreed to.

On section 6:

Mr. Chairman: Mr. MacDonald moves that section 6(1)(c) be deleted and that section 6(1)(e) be deleted and that the following be substituted therefor:

"Establishing, from time to time, a stabilization price or prices respecting a farm product for which a plan has been developed, the stabilization price or prices to be obtained by adjusting up to 95 per cent of the base price thereof by an index calculated to reflect the true costs of production of the farm product in the year for which the stabilization price or prices are established." And that following sections be renumbered accordingly.

Mr. MacDonald: Mr. Chairman, there are really two amendments here, and I assume you may want to deal with them separately because it is just possible that the House may want to treat them that way. The first one is the deletion of section 6(1)(c) totally, and the second one is the deletion of 6(1)(e) and the substitute.

Mr. Chairman: I think it's possible to deal with them both in concert.

Mr. MacDonald: Fine. Let me speak first, if I may, to the suggested deletion of 6(1)(c). I suppose, in a sense, this is something of a repeat of the discussion we had earlier, to be very frank with you, Mr. Chairman, because section 1(c)(ii) is related to this and it relates to the whole business about comprehensive coverage.

Maybe I should put it on the record, just so that the government, and particularly our friends in the Liberal Party, will know what the position of the OFA is on this section: "We firmly reject including within farm product receipts any sum that farmers do not actually receive due to the failure of the government of Canada to fully implement The Agricultural Stabilization Act. We understand that the reason for this provision is to keep Ontario out of what might be taken as a federal responsibility in agricultural income stabilization.

"The aim is to sway the federal government to designate for support all commodities that encounter serious price depression. This is all exalted under the principle that the federal government alone should stabilize farm returns, because only the federal government can balance the scales

of justice between the provinces and between farmers in several provinces.

"We fully support the principle that distributive justice between the provinces must be in the control of the federal government. We regret, as much as anyone, the prospect of provincial treasuries being pitted one against another, thereby losing sight of the objective of farm legislation. However, it is too late to argue that this can be avoided if the provinces will refrain from farm income activity. Not only British Columbia but our neighbouring province of Quebec has instituted income protection programmes. Quebec is moving ahead with establishing plans for beef cattle from birth to slaughter, industrial milk and eggs, with others in the earlier stages of planning. Already we must compete with these producers, who also benefit from greatly advantageous provincial credit and transportation subsidies. The federal government is most unlikely to take measures to reduce these current regional advantages being offered in these provinces. In addition, cow-calf support plans are now in effect in all the major producing provinces, including one-year programmes in Alberta and Saskatchewan.

"Our position is that the federal government will only be moved to fill the vacuum in stabilizing policy when one or two major farm provinces pass stabilization legislation;" when, in other words, the inadequacies of the ASA are generally admitted by provincial government. "Therefore, we recommend," says the Federation of Agriculture "that under section 6, subsection 1(c) that paragraphs (ii) and (iv) be deleted. Both are contrary-to-fact conditions that place the burden of any federal inaction entirely on the farmer." Of course, possible federal inaction is the very reason for the necessity of provincial action at all. "The result of this deletion would be that for all commodities not named under ASA 75, the Ontario government would, as it proposed to do in the earlier Bill 96, support all commodities between the actual average return received, including any federal stabilization payments and the Ontario stabilization price for that product."

In short, what the Federation of Agriculture has said is, we agree it would be far better to have a federal plan that covers all products, but there's no assurance that we're going to have that federal plan; therefore, we suggest that we should have an opportunity for comprehensive coverage, and they suggest this deletion which is going to define out certain items that may or may not be covered. They want them all defined in and it was their request which we are putting on the record

here, in the hope that the House will support it.

Do you want me to deal, Mr. Chairman, with the second portion of the amendment at the same time?

Mr. Acting Chairman: I understand we're dealing with both sections.

Mr. MacDonald: Both? All right. The second portion of the amendment, which proposes the deletion of section 6(1)(e) and the following substitution, is a very key one. Let me draw to your attention that when the minister introduced this bill, he stated, and I quote: "Prices and costs used in the Ontario formula will be the same as those used in the federal plan, and federal officials have assured us of their full co-operation in supplying any necessary technical data."

In other words, what this government has done is to piggyback their plan, with all its inadequacies, on the equally inadequate federal plan. They are going to be meshed completely except for the five per cent top-loading that this government is doing despite the warnings and threats from Gene Whelan in Ottawa.

It is interesting to note that on this point, too, the spokesmen for the Federation of Agriculture were very forthright. Peter Hannam told the standing committee, and I quote: "We regret that the Ontario government has fitted its own programme directly onto that of the federal government, even to the extent of using Canadian average prices and not cost calculations for Ontario products. This is a programme, after all, that Mr. Newman himself has repeatedly said is inadequate."

In short, what we are seeking in this amendment is that prices should be stabilized on the basis of true current costs, not on the basis of these national calculations that may or may not be valid for the province of Ontario or may or may not be applicable for the province of Ontario.

The second and an important point that is obviously a point of concern for the hon. member for Huron-Middlesex, is that to support prices at a 95 per cent level across the board may be too high. It may be an incentive level. Therefore, what this amendment suggests is as the OFA asked for—that it should be a support of up to 95 per cent.

Subsequently we are going to move an amendment which will give the farmers the mechanism for real negotiating capacity. In many instances it is quite possible that the farmers will want to negotiate a price that is below the 95 per cent.

Because, the main point that was made—I thought most convincingly and eloquently—before the standing committee of the Legislature, is that we want as flexible a plan as possible.

Hon. W. Newman: Hear, hear.

Mr. MacDonald: Well, if you want it as flexible as possible, you've got one that is bureaucratically structured now so that there's no flexibility in it at all. That's why I don't know what the significance of that "hear, hear" was across there.

Mr. Nixon: The minister indicated at the committee that that flexibility of up to 95 was already in the bill, did he not?

Mr. MacDonald: Was it?

Mr. Nixon: Sure he did.

Mr. Chairman: The member for York South has the floor.

Mr. Nixon: By the way, I think the first part of his amendment is out of order.

Mr. MacDonald: On this point, let me again put on the record the views of the Federation of Agriculture with regard to section 6, subsection 1(e):

"We are opposed to excluding all non-cash costs from consideration in adjusting the historical base price. As we said, the Ontario Ministry of Agriculture and Food intends to use cost data prepared by Agriculture Canada wherever they exist. This means that even the very real and major costs of machinery and equipment depreciation are excluded from consideration as well as some overhead items that are in fact cash costs within each year. Even more significant is the omission of the cost of the operator's labour and management work and the major part of the farm capital investment.

"The bill as proposed, even assuming responsible action by the federal government in all cases, would stabilize returns to the farmer's own labour and capital resources only in that his returns would not be much less than the previous five years. Clearly, in periods of rapid inflation, this will be of little if any assistance.

"We recommend that the phrase 'cash costs' be replaced by 'full cost of production, including the farm operator's labour, management work, and investment'."

That is what we are seeking to provide in this amendment.

Let me raise another point in this connection. They have me a little puzzled in the

standing committee. Suddenly the minister made a statement that perhaps he might be considering—and I notice that some of his top officials indicated that it was only a consideration, that it hadn't been a conclusion yet—that in addition to cash costs, you might do as you've done in the cow-calf plan and pay 70 per cent of a certain level of labour and investment. It's on the record in terms of the standing committee and I raise it now—

[4:15]

Hon. W. Newman: Read subsection 5.

Mr. Foulds: That's not what you said in committee.

Mr. MacDonald: I'm talking about what you said in committee. I admit that what you said in committee isn't in the bill and I have already noted that some of your own officials said that it isn't in the bill. Apparently it was in the back of the minister's mind—

Mr. Warner: It's a long way back.

Mr. MacDonald: —I'm wondering what flexibility, if any, has emerged in the minister's thinking that he chose at least to raise this, this little kite-flying effort, in the course of the committee hearings. Let me deal with the main concern expressed in the House particularly by the hon. member for Huron-Middlesex with regard to this. I think he's repeated it so many times and in doing that he's been standing four-square on the same ground with the minister. If you have this kind of a level of costs you're going to have incentive prices. The net result is you're going to be driven into some sort of a supply management situation and he is unhappy about supply management. The minister will agree that's the kind of thing he has been saying, going across the province and warning everybody ad nauseam.

Hon. W. Newman: It seemed to get to you.

Mr. MacDonald: I want to suggest that is not a real danger. I draw to your attention that section 6, subsection 5 notes: "Where, under a plan, in any year, the stabilization price exceeds the cost of production figure that is ascertained and prescribed by the commission, and which may be prescribed in the regulations, the stabilization price, for the purposes of section 4, shall be deemed to be equal to that cost of production figure."

Mr. Nixon: That's why your amendment isn't necessary.

Mr. Riddell: That's the very thing that makes your amendment redundant.

Hon. W. Newman: That's exactly right.

Mr. MacDonald: It doesn't make the amendment redundant because it simply means that you're going to meet at least what the farmers want. The question is the cost of production. What is the definition of cost of production?

You have put in a cash cost. That isn't what you did in the cow-calf plan. You had cash costs plus 70 per cent of other factors. What we have suggested in our amendment is that you should recognize these other costs.

As for the fear of supply management, I want to draw to the attention of the House what I thought was one of the most eloquent and able statements with regard to the whole sphere and role of supply management that I have ever read anywhere. I draw this particularly to the attention of the hon. member for Huron-Middlesex. You may be surprised as to where it came from.

Mr. Riddell: I am glad you read my speech so thoroughly.

Mr. MacDonald: No. It's not your speech.

Mr. Roy: You should read his speeches.

Interjections.

Mr. MacDonald: Listen to this, "We farmers spend a lot of time seeing we are free enterprisers. Some feel that controlled production takes us out of this category. We should ask those who have supply management now to set their own price and see what they would say. You will find that most of them will say that they are freer than they have ever been before.

First, they are free to produce without fear of overproduction. Second, they are free to be efficient and the more efficient they are the more money they make. Third, they are free to make a year's projections in cashflow without fear of a sudden drop in prices within the year. Fourth, they are free to borrow money without the bank manager saying, "What if the price drops?" Fifth, they are free to plan for several years instead of six months. Sixth, they are free to make a planned expansion based on quota rather than to expand from an unknown market."

There is a magnificent example of how the freedom of farmers can be established by permitting them to have supply management. Who put that on the record?

Mr. Shore: Who?

Mr. MacDonald: The hon. member for Grey, Mr. McKessock.

Mr. Shore: Sit down there with Albert Roy.

Mr. Roy: You are in the House are you? Nice to see you.

Mr. MacDonald: I would suggest to you, Mr. Chairman, and I hesitate to put this to you too pointedly, that the hon. member for Grey—

Interjections.

Mr. MacDonald: —perhaps with your assistance, can sit down with the hon. member for Huron-Middlesex and let him know something of the function of supply management.

Mr. Shore: Right on.

Mr. Nixon: May I ask the hon. member a question?

Mr. MacDonald: Sure.

Mr. Nixon: Are you suggesting that my hon. colleague in his eloquent comments about supply management is suggesting that everything be supply managed? As a matter of fact, is the hon. member suggesting—

Mr. MacDonald: No.

Mr. Nixon: Of course you are.

Mr. MacDonald: Oh, no.

Mr. Acting Chairman: Order, please.

Mr. Nixon: Socialist Ontario. You want everything to be supply managed.

Interjections.

Mr. Acting Chairman: Order, please.

Mr. MacDonald: Supply management is a function that the farmers are developing because they recognize it can give them freedom. It is their choice. This is a voluntary plan.

Interjections.

Mr. MacDonald: It is their choice. And if I may say to the hon. member for Huron-Middlesex, he may be a dirt farmer but he's out of the mainstream of the farm community. The hon. member for Grey, who sat on the Federation of Agriculture, knows that most farmers—milk farmers, tobacco farmers, the new proposed chicken agency—all know that the only way in which they're going to have freedom is if they will have supply management.

Mr. Nixon: What about corn farmers and beef farmers and those growing cash crops—

Interjections.

Mr. MacDonald: All I want to say is that the—

Interjections.

Mr. Nixon: You have been ploughing that asphalt too long.

Mr. Roy: Pretty soon you guys are going to be courting corporations, going after those funds. Where is your conscience? Where are your principles?

Interjections.

Some hon. members: Albert, Albert.

Mr. Acting Chairman: Order, please.

Mr. Bain: Where is your manure spreader, Albert?

Interjections.

Mr. MacDonald: Let me conclude my remarks by giving a little account of a very interesting happening a week or so ago at the Ontario Federation of Agriculture convention. I don't think the member was there. I saw some of his colleagues there. It was a fascinating exercise.

When the election for the presidency arose, there was one man whose position on farm income and whose position on supply management is precisely the position of the agricultural critic in the Liberal Party. It's not surprising; he's a "big L" Liberal. He's a respected farmer—James McGuigan, the past president of the Ontario Fruit and Vegetable Growers' Association.

He'd been a member of the executive board of the federation and though he'd gone along with the whole federation's proposal, obviously he was very unhappy about it. So he presented himself as a presidential candidate and his comment was that the federation was moving out of the mainstream of western political thought with proposing this kind of a farm income stabilization plan.

An hon. member: Too far out.

Mr. MacDonald: He presented it very clearly for the delegates to choose. And do you know what they did? They defeated him as president. He ran for vice-president. They defeated him for second vice-president. Because I submit that those who raise these bogys about excessive incentive prices and deny the farmers the right to run their own show, to negotiate their prices and when and

if they see fit, voluntarily to develop supply management, those are the farmers who are in the mainstream and not the dirt farmer from Huron-Middlesex.

The Federation of Agriculture laid it right on the line—

Mr. Ruston: All farmers are dirt farmers, Donald. They're not asphalt like you.

Mr. Bain: Fortunately they don't have the views of the one from Huron-Middlesex.

Mr. Acting Chairman: Order please. The member for York South has the floor.

Mr. MacDonald: I have had the floor and I've had my say and I thank you.

Mr. Riddell: Thank goodness.

Interjections.

Mr. Riddell: Just a few brief comments—

Mr. Moffatt: Stop heckling your own member.

Mr. Riddell: —Mr. Chairman. Before you assumed the chair, we dealt with the member for York South's first amendment which was in effect endeavouring to give full protection to all commodities at the 95 per cent level. The former chairman ruled him out of order because it did involve an expenditure of money. I submit that by deleting section 6(1)(c) that in effect we're doing the same thing. We are talking about the expenditures of money because in effect what it is saying is that all commodities are to be supported at the 95 per cent level.

Mr. MacDonald: If Gene Whelan doesn't come in.

Mr. Ruston: It is recycling.

Mr. Riddell: So we've gone through that debate before and there's no need to go through it again. I really think that the member for York South would be lost for words if he didn't have the brief that was presented—

Mr. MacDonald: I wish you had it too.

Mr. Ruston: There are several hundred thousand farmers in Ontario.

Mr. Roy: Yes, you are lucky you can read.

Mr. Riddell: —at the standing committee by the president of the Ontario Federation of Agriculture.

Mr. Bain: You should learn from him some time.

An hon. member: I thought you supported it.

Mr. Riddell: Furthermore, if the member for York South has any spare time by the time of the next campaign, I wish he would come around with me when I call on my farmers and tell those farmers that they are going to be restricted as to the number of acres of corn they can produce, the number of acres of grain they can produce and the amount of beef they can produce. I defy him to go out and tell the farmers.

An hon. member: He won't.

Mr. Riddell: That's right. He'll try to have it both ways.

An hon member: He'll stay in York South.

Mr. MacDonald: Invite me down and I'll be glad to come.

Mr. Riddell: In connection with the second part of his amendment, he realizes that in some cases a 95 per cent support level would be incentive pricing. So he's asking that some of these commodities be supported up to 95 per cent level to avoid that type of thing.

I submit that that protection is given under section 6(5) which states: "Where, under a plan, in any year, the stabilization price exceeds a cost of production figure that is ascertained and prescribed by the commission, and which may be prescribed in the regulations, the stabilization price, for the purpose of subsection 4, shall be deemed to be equal to that cost of production figure."

In other words, to my way of thinking, this is the section which gives that kind of protection against overpricing of any commodity, which of course would lead then to incentive production. Just to repeat, I submit that by deleting section 6(1)(c) we are talking again about an expenditure of money and I feel that the member is out of order. Secondly, in order to assure ourselves that no commodity is going to be supported at an incentive level, that is covered under section 6(5).

Mr. Acting Chairman: I'd like to thank the member for Huron-Middlesex for drawing this to my attention. I wonder if any other members would have any comments.

Hon. W. Newman: I would just point out that like the first amendment that was made under section 1(c)(ii) this would entail more funds. It's very interesting to note that with regard to the article that you were talking about in Farm and Country, about some-

body condemning socialism, that person didn't make it for president, but I understand he's still on the board.

Mr. MacDonald: Who's that?

Hon. W. Newman: The chap that you mentioned in rather an uncomplimentary fashion today.

Mr. MacDonald: Who was that? Gordon Hill?

Hon. W. Newman: No. Don't you know who you were just talking about a couple of minutes ago?

Mr. MacDonald: He was appointed to the board because he is a respected farmer even though some of his views are ill-conceived.

Hon. W. Newman: In passing comment here, I'd like to comment on this amendment that was made here. I notice it said "reflect the true cost." I never know whether they're talking about true, cost, full cost, operating cost, cash cost or if you know what they really all are.

In order to read it into the record, I'll say it again. We're working out cash cost. Things that are normally included in cash costs are property tax on land and buildings used in field crop production; repairs and operating costs for farm machinery used in field crop production; items used to maintain or improve the productivity of lands used for field crop production, i.e., fertilizers, lime, pesticides, et cetera; repairs and operating costs of farm buildings used for field crop production; hydro and telephone services attributable to field crop production; hired labour; livestock cash crops; veterinary and medicine expenses; feed grains; protein supplement and minerals; property tax associated with livestock production; machinery and motor vehicle repair and operation; utilities, electricity and telephone; bedding; building and fence repairs and hired labour. Those are what are included in cash costs.

You can't talk about supply management on one hand, if necessary, but not supply management on the other hand, then come out and say we want supply management in everything. That's what you're saying.

Interjection.

Hon. W. Newman: Yes, you are. When you're talking about your costs, you're talking about supply management—

[4:30]

Mr. MacDonald: You don't understand it.

Hon. W. Newman: —whether you like it or don't like it. Yes, I have gone around this province because you were talking about the total full cost of production.

Mr. MacDonald: I am not.

Hon. W. Newman: Look at the record.

Mr. MacDonald: It can be negotiated.

Hon. W. Newman: No. Look at the record. If that is the sort of farming you want in this province, it's not the kind of farming I want in this province. We had some very good supply management programmes in this province and they are working very well but you know full well that supply management has to be on a national basis. It cannot be on a provincial basis. It just will not work.

Mr. Moffatt: Do you want supply management on a national basis?

Hon. W. Newman: I hope you understand that. I want to make sure that you had the record clear on that.

Interjections.

Hon. W. Newman: I maintain that these two amendments by the official opposition party would require more money—I think you would agree they would cost more money—which would be directly contrary to the principles of this bill. I would reject both of those amendments. It's your decision, Mr. Chairman, how you rule on it but because of the cost factor involved and because of the rules you read out earlier I really feel this is out of order. But that's up to you, sir.

Mr. Bain: You are out of order.

Mr. Acting Chairman: Are there any other members who wish to make comment on this point of order?

Mr. MacDonald: Yes, Mr. Chairman, I want to make two comments. Obviously, if we are going to be consistent the first part of this is out of order.

Interjection.

Mr. MacDonald: It means that the legal rules of this House are going to deny giving the farmers what they have asked for and need.

Mr. Nixon: The hon. member for York South is speaking more to the people he wants to send copies of his address to rather than to you and to the members of this House who are concerned with the rules.

Interjection.

Mr. Nixon: Whatever you rule, of course, we will abide by but I think the hon. member for York South has indicated that the thrust of his amendment would be the same as the one which was ruled out of order by the hon. member for Lake Nipigon (Mr. Stokes) who was in the chair at the time.

I do believe it is necessary to say something a bit further on the basis of the comments made by the member for York South in putting forward his amendment, which may or may not be in order. For him to imply that the members of this party are opposed to the supply management programmes in fluid milk and tobacco particularly—there are others, but those two particularly—of course, means that he does not concern himself with the truth of the traditions and the development of these programmes over many years in this province. I won't waste your time, Mr. Chairman, although I have every right to say what I choose to say about these matters, but it is obvious that only those products which are produced in this province to the exclusion of the rest of Canada can be supply managed in Ontario. Any attempt to do otherwise is disastrous.

It simply means that our farmers are kept down in their productive ability while their competitors in Quebec and Manitoba and BC and the Maritimes and elsewhere have a free thrust at it. For the member for York South to indicate anything other than that means that he does not understand the marketing problems faced by the farmers in Canada as opposed to the problems faced by the farmers in the province of Ontario.

For him to suggest that supply management—that is, independent of the government of Canada—should only take place in Ontario is completely irrelevant and erroneous and indicates a lack of understanding on his part.

Mr. Wildman: He didn't say that.

Mr. Nixon: We in the Liberal Party have supported the Milk Marketing Board and the Tobacco Board in their efforts. We believe that if we are going to establish a price basis as put forward by the member for York South we are going to establish incentive pricing which it is not possible to control by supply management in this province excluding the other provinces of Canada. His proposal really is not a workable one. I believe he is playing to the grandstand in this connection—

Mr. Bain: If anybody was grandstanding, it was you.

Mr. Nixon: I believe he is irresponsible and I believe he knows he is irresponsible when he puts forward that position.

Interjections.

Mr. Nixon: He wants to be third vice-president of the federation.

Mr. MacDonald: I might get elected.

Mr. Nixon: You might.

Mr. MacDonald: I am supporting their programme. That's better than the other one who got defeated.

Mr. Acting Chairman: Will the member for York South address the Chair, please?

Mr. MacDonald: Yes, Mr. Chairman. I am sorry; I obviously should be addressing you.

Mr. Ruston: You don't have to go to Essex North or Kent-Elgin; it is a waste of time.

Mr. MacDonald: I am not grandstanding in putting forward this amendment. This is an amendment which was sought by the Federation of Agriculture.

Mr. Nixon: Don't give us the baloney about the rules of the House restricting the democratic process. You play by the rules; go make your speech out front.

An hon. member: What baloney is he talking about?

Mr. Riddell: Get your soapbox out front.

Mr. MacDonald: Can you control them?

Mr. Acting Chairman: Order, please. The member for York South has the floor.

Mr. MacDonald: Very good.

Mr. Ruston: He knows the rules of the House as well as anybody does.

Mr. MacDonald: In the first section of it, I conceded that to be consistent, it would be out of order. I conceded. I don't concede the second part of this amendment in setting up this new approach to true costs. It is rather interesting here—

Mr. Shore: Are you running in a rural riding?

Mr. Nixon: Why not make a separate amendment? Make a separate amendment. It wouldn't be out of order.

Mr. MacDonald: It is separate.

Mr. Nixon: Soon to be minister.

Mr. MacDonald: Mr. Chairman, perhaps you should bring the hon. member for Brant-Oxford-Norfolk up to date. I pointed out there were two sections to the amendment. They should be dealt with separately. The first one is deletion of—

Mr. Nixon: Now you have got on to that, a new idea. You put two amendments at a time.

Mr. Breagh: He always said that.

Mr. MacDonald: The chairman in the chair at that point indicated we could debate them together. We were to deal with them separately. I am now dealing with the second one.

The difference between us and the Liberals and Tories—

Mr. Kerrio: We already know; don't explain.

Mr. Nixon: You are a socialist and we are not.

Mr. MacDonald: —is that the farmers should have the right to negotiate a price level which will cover the costs they think are necessary, not that is going to be decided by God at Queen's Park, not by the bureaucrats at Queen's Park.

Mr. Eaton: They have that right now.

Mr. MacDonald: As was pointed out when we had a very interesting discussion in the standing committee, there may be some commodity that is struggling to survive or to get established in the province of Ontario where, in order to get it established, they will need what you might deem to be an incentive price at a 95 per cent level.

Mr. Shore: The member for Riverdale (Mr. Renwick) will straighten you out.

Mr. MacDonald: In another case of an established product, if you had a price at an incentive level you might get over-production. The farmers will have the choice to decide at what level they want to negotiate the price. If they negotiate it too high, they then will have the obligation to develop supply management of their own volition, just as they did in milk and just as the ydid in tobacco.

Mr. Nixon: That is grown elsewhere; it has got to be a national programme.

Mr. MacDonald: In short, the farmer should have the right to make the decision, not to have the bureaucrats in Ottawa with a formula that is irrelevant and doesn't apply to current costs, and not the bureaucrats at Queen's Park. The farmers of Ontario should have the right to make that decision.

They may decide that they want supply management to get all that freedom that the hon. member from Grey said they could get in other products in addition to milk and tobacco. That's why I would earnestly plead with the Liberals to support this amendment because this is what the Federation of Agriculture and the farm union seek.

Hon. W. Newman: I would just like to read part of a letter from the former president of the Ontario Federation of Agriculture which was read into the record before. I'm just going to read the first part:

"The executive of the Federation of Agriculture have studied with interest your legislation entitled 'The Farm Income Stabilization Act, 1976,' introduced by you in the Legislature, October 26, 1976. We wish to commend you for the several changes which you have made to your previous bill. The fact there are no commodities excluded, that plans will be contributory and voluntary for producers, that contributions will be on a one-third to two-thirds basis for producers and government, and that provision was made for federal government involvement, to us are positive improvements. The farmers of Ontario will be pleased with these changes."

Mr. MacDonald: Read his article from Farm and Country.

Hon. W. Newman: "We will certainly applaud them." They go on, to be quite honest, to talk about—

Mr. Roy: Who wrote that, Bill?

Hon. W. Newman: Pardon?

Mr. Roy: Who wrote that letter?

Hon. W. Newman: It is signed by Gordon L. Hill, president of the Ontario Federation of Agriculture.

Mr. MacDonald: That's right.

Mr. Warner: Read the rest of the letter.

Mr. Wildman: Read the rest of the letter.

Hon. W. Newman: It disturbs me no end that you have no faith over there in our commodity board, which represents 90 per

cent of the farmers in this province. This is what you are saying, in effect.

Mr. Wildman: Our commodity boards have done an excellent job and I have a great deal of faith in our commodity boards and the way they are representing and working with the farmers, and don't ever forget that they have done an excellent job.

I reject, of course, your amendment, whether you want to do it in one or two parts. The first part, of course, is out of order, at least I assume it is. But don't use the rules of the House because the purpose of this bill is to help the farm community in all commodities through difficult times; not to make incentive pricing, but to fill in the hollows in the bad years so they can get on the road and do a little bit of planning.

That's why we want this bill brought forward to help the farmers out of their difficult times so that they will be able to do some basic planning. That is the whole purpose of this bill. It is not to create incentive pricing down the road as you would have us do, and I think that's the distinction between the socialist point of view and our point of view here on this side of the House. I want the record to show that.

An hon. member: You are destroying the farmer.

Mr. MacDonald: Mr. Chairman, I want the record to show that the minister got up and read the first half of the letter—

Hon. W. Newman: I said it was only the first part.

Mr. Samis: He didn't want to read the second part.

Mr. MacDonald: That's right. He didn't read the second half which detailed the amendments that should be made, without which, said he in his article in *Farm and Country*, you won't likely spend a cent. Indeed the new head of the Federation of Agriculture, I repeat when he came in and presented the amendments, said, "Mr. Chairman and committee members, these are recommendations"—these amendments, including the one you have just condemned. He said, "We consider them necessary and by no means trivial and without them Bill 131 is worth little."

Mr. Warner: Right on.

Mr. Riddell: Just one comment, Mr. Chairman. I think it's interesting to note that the last edition of *Farm and Country* didn't have

anything in it whatsoever on farm income stabilization.

Mr. Wildman: Because they consider it won't work.

Mr. Riddell: I am wondering if maybe some of the farm organizations and people in them have had second thoughts.

Mr. Wildman: Because they consider the bill worthless.

Mr. MacDonald: The member for Huron-Middlesex didn't have the guts to oppose it.

Mr. Warner: Is the minister going to resign?

Hon. W. Newman: Mr. Chairman, you may rule this out of order, but just for the edification of the official opposition—and I am referring now to their agricultural critic and one of their other people who is sitting on their front row from the riding of Peterborough, I believe—when I spoke to the Federation of Agriculture down there, that young lady was there and heard the reaction when that particular Federation of Agriculture representative got up and started to talk about stabilization. Somebody got up and made a speech: "We don't want incentive pricing and stabilization. We just want a bit of help." They almost got a standing ovation from that particular Federation of Agriculture and your own member for Peterborough was sitting there and heard that.

Mr. MacDonald: A minority view.

Ms. Sandeman: Mr. Chairman, if I may just speak to that point, perhaps the minister didn't hear the continuation of that speech—

Mr. MacDonald: He always gives only the first half.

Ms. Sandeman: —and speeches by other speakers on the same occasion who said, "Who needs this bill? We don't. We don't want it. It will be of no use to us."

Mr. Eaton: They don't want it. They don't want any plan, especially the NDP's.

Mr. Acting Chairman: The member for Ottawa East has the floor.

Mr. Davidson: The farmer from Osgoode Hall.

Mr. Roy: Mr. Chairman, just to speak on the point of order on the validity of the amendment. As I recall, your predecessor in the chair, the member for Lake Nipigon, I think treated both amendments as one so that

it would be difficult for you, Mr. Chairman, to split that amendment. I recall when the member for York South introduced it, I thought Mr. Chairman Stokes said it was going to be treated as one amendment. I think that was his ruling at the time. So to split it, I don't think would be proper. I just feel that having made that comment I should proceed further—because after all, I think there are as many farmers in my riding as in York South—

Mr. Bain: You're better at farming than you are at law.

Mr. Roy: —and just make a few comments about the sort of so-called flirtation of that party to the right with the farming community.

Mr. Kerrio: And the business corporations.

Mr. Roy: Yes, is there no end to their incestuous flirtations with certain segments of the public? What has happened to their principles? They are now flirting with the corporations. What's happened to you over there?

Mr. Samis: How about those films of Vanier?

Mr. Roy: Are you prepared to do anything for power?

Mr. Foulds: On a point of order, he is making a speech.

Mr. Acting Chairman: Order, order. Would the member for Ottawa East address his remarks to the amendment or the point of order?

Mr. Roy: They were being provocative.

I simply say that I think the member for Lake Nipigon, having ruled that this was one amendment, as I understood it—

Mr. MacDonald: He did not.

Mr. Roy: —it seems to me the amendment is clearly an amendment for expenditures of public funds and out of order.

[4:40]

Mr. MacDonald: Mr. Chairman, I rise on a point of order and this is a genuine point of order.

Interjections.

Mr. MacDonald: Mr. Chairman Stokes did not say this was one amendment. I drew attention when I read it that it included a deletion of 6(1)(c) with no replacement and a

deletion of 6(1)(e) with a substitute. I said it involved two amendments and perhaps we should deal with them separately. Did he want us to debate them separately or not? He said we would debate them together but deal with them separately in the vote. It was a calculated misrepresentation that you made.

Mr. Roy: You said we will treat it as one.

Interjections.

Mr. Acting Chairman: Order. Could I ask the member for York South if he would like to withdraw the second part of the amendment and deal only with the first part of the amendment in my ruling?

Mr. MacDonald: No, Mr. Chairman. With respect, I'll withdraw the first part of the amendment because it is out of order. The second one stands.

Mr. Nixon: You say it is out of order?

Mr. MacDonald: It is out of order because it has been ruled out of order by the original ruling.

Interjections.

Mr. Reid: It's almost as bad as last night.

Mr. MacDonald: In short, Mr. Chairman, my amendment will be to strike out the first line—

Mr. Reid: Strike out the whole amendment.

Mr. Foulds: Strike out the member for Rainy River.

Mr. MacDonald: —that section 6(1)(e) be deleted and the following be substituted. That is my amendment.

Mr. Nixon: You are withdrawing the one that is out of order?

Mr. Acting Chairman: The member for York South has withdrawn the first part of the amendment. Is there any further discussion on the remaining part of the amendment?

An hon. member: Is it in order?

Mr. MacDonald: Sure it's in order.

Mr. Acting Chairman: Those in favour will please say "aye."

Those opposed will please say "nay."

In my opinion, the nays have it.

Will this be stacked?

Mr. Warner: We will test the coalition government again.

Mr. Nixon: It's an absolutely meaningless amendment.

On section 7:

Mr. Acting Chairman: Mr. MacDonald moves that section 7 be deleted and the following substituted therefor:

"The commission shall negotiate with a group of producers representative of general farm organizations and the producers of the commodity in question: one, the development of any plan; two, the revision of any plan; three, the base price; four, the cost-of-production index; five, the stabilization price; six, the payment of fees; seven, administrative procedures; and, in general, all the terms and conditions operative under any plan or plans."

Mr. MacDonald: Mr. Chairman, the reason we have suggested the existing section should be deleted and this be substituted for it is that the existing section is hopelessly inadequate in terms of providing the farmers with any meaningful role. It reads that the commission may—it is under no obligation—at any time consult with or conduct discussion with any local board.

As was pointed out once again by Peter Hannam on behalf of the OFA, there is no point in consultation if you haven't got some genuine capacity to negotiate. Too often this government consults and then goes back and does what it planned to do in the first instance and ignores the views of the farmers. That happened with the development of the cow-calf plan and it has done it in many other instances in relation to agriculture. What we want is an organization which will be the farmers' bargaining group, so to speak, which in turn can bargain with the farm income commission. It will be representative of general farm organizations and of the commodity group that will be involved in the development of any particular plan. And it will have these terms of reference which are spelled out in the amendment and a catch-all at the end for others that might have to come up for consideration.

Let me once again—because I feel this is a bit of an educational process—read for the benefit, in particular, of the hon. member for Huron-Middlesex, the comments that were made by the Federation of Agriculture representative before the standing committee in reference to section 7:

"We consider the government has not honoured the intent of the direction of the Legislative Assembly when, in June 1976, it passed the reasoned amendment that Bill 96 be redrafted to provide that the government

will negotiate with a legally constituted farm spokesman."

If I just may interrupt myself in this quotation here, it was the Liberal amendment to our amendment that nailed that down. We accepted it because we thought it was a good addition.

Mr. Nixon: We think section 7 can be improved but it does refer to all the marketing boards. We don't think they are legally constituted.

Mr. MacDonald: Continuing the quotation from Peter Hannam: "In fact, however, section 5 and subsection 7 of Bill 96 already included almost identical provisions to section 7 of the present Bill 131. Therefore, the will of the Legislature must have been for something more than the authorization to consult if the commission so desires. The bill, as it stands, offers little scope for negotiating anything of any significance. The support level is set at a minuscule maximum that in itself makes the programme next to worthless. However, the amendments we have recommended to section 6(1)(c) and section 6(1)(e) would make this a very flexible programme"—Both of these have been voted down in this House already by the Liberals.

Mr. Nixon: They were declared out of order, I think.

Mr. MacDonald: But one was declared out of order and the other one was voted down by the Liberals in league with the Tories.

To continue: "... with good possibilities of being a significant contribution to Ontario agriculture. However, for it to work well would require that the commission would, as a regular matter, work with a negotiating committee established by the general farm organizations to develop the general provisions of the plan, to negotiate any disputed points and to secure the approval of this negotiating committee before instituting any plans.

"Details of any commodity plan shall be negotiated further with representatives from the pertinent commodity boards and associations. The negotiating procedure is necessary to prevent plans being instituted for political reasons alone, without real promise of assistance to the farm community.

"Moreover, it is only fair to give farm organizations, in effect, a veto power as farmers are to contribute directly one-third of the premiums of any plan. This provision in no way compromises the authority of the Minister of Agriculture and Food or the Ontario

Treasurer for without their express consent, no plan could be implemented."

In other words, what we are establishing is the capacity for genuine negotiations and you can't have genuine negotiations if the farmers haven't got an organization that is going to be representative of themselves.

In our amendment here we have deliberately not spelled out the exact structure of that organization. And, quite frankly, I've done it deliberately because you're going to get into some discussions, you're going to have to balance off some views, some of the kinds of views that the hon. member for Brant-Oxford-Norfolk was saying earlier, as to how do you balance one farm organization that has 25,000 or 30,000 members and another one that has 400 members? No matter who is the government, it has got to grasp that nettle at some point. It seems to me it would be appropriate that the details of the setting up of the negotiating committee on behalf of farmers can be left to be dealt with in regulations at some later point.

I was interested to note, for example, that in the second-reading debate there was a comment made, and I quote it: "Last year's amendment should have had a clause in it indicating that the government should come back with a plan based on cost of production, rather than the present proposal for a five-year average price. In this case, labour investment and depreciation costs could have been taken into consideration and the support price for any one commodity set at a level which would not encourage over-production. Costs used in Bill 131 are the same as those used in the federal plan and do not take into account the cost of the farmer's own labour, investment and depreciation."

Interestingly enough, that comment was made by the hon. member for Huron-Middlesex. He was pleading for a negotiating committee which would be able to negotiate what only a moment ago he described as an incentive price.

Mr. Nixon: I think your amendment is awfully loose. You may have deliberately wanted to be flexible but you are almost meaningless in the first two lines of it.

Mr. Bain: Why are you so surly?

Mr. Nixon: It should be better. It should be a better amendment.

Mr. Foulds: Where are your tough-talking amendments?

Mr. Nixon: Right here. We have put them forward. You voted for them.

Interjections.

Mr. Roy: Not only are you bad farmers, you can't even—

Mr. Chairman: The hon. member for York South has the floor.

Mr. MacDonald: With the passage of this amendment, giving the farmers a meaningful role and a real negotiating capacity, for the first time we will have established the opportunity for farmers to participate in a genuine way in the development of a plan, in the operation of a plan or in negotiating a price.

As we now have it in this bill, what we are going to have is a bureaucracy at Queen's Park operating in accordance with the formula created by the bureaucracy in Ottawa and farmers aren't going to be in the picture at all. It will be a robot operation in which all they do is work it out according to the formula.

Mr. Nixon: Are you saying the marketing boards are robots? I thought you were supporting them.

Hon. W. Newman: That's what he is saying.

Mr. MacDonald: What we want is the farmers to have the capacity to negotiate the level which they think is appropriate for the product they are producing. I think they are in the best position to make a decision not the bureaucrats here or in Ottawa.

Mr. Riddell: Mr. Chairman, I don't know that we really take issue with the amendment as proposed by the member for York South although, as has already been indicated, it is rather a loose amendment and I think we should tighten it up.

Really, all the member has done is outline the various things the commission should take into consideration. Really he is questioning the intelligence of producer representatives or general farm organizations or commodity boards by going through the seven issues they are to take into consideration.

The amendment presently reads, "The commission may at any time"—and I agree it should be shall—"consult with or conduct such discussions with any local board under The Farm Products Marketing Act, any marketing board under The Milk Act, or any other organization or group of producers as the commission considers proper respecting the terms of any plan or proposed plan."

You can't tell me that any organization is going to consider the terms of any plan or proposed plan without taking into considera-

tion such things as the development of any plan, the revision of any plan, the base price, the cost-of-production index, et cetera. In other words, the NDP feels it has to outline definitely and specify exactly what the commission has to do.

Mr. MacDonald: No, it's the rights of farmers.

Mr. Riddell: I say that the commission, the farm organizations, the commodity boards and what have you certainly have the degree of intelligence to take these into consideration. They don't have to be told by you people what they are supposed to do.

I would like to amend the amendment in this fashion: The commission shall negotiate respecting any proposed plan or proposed amendment to a plan with any local board under The Farm Products Marketing Act or marketing board under The Milk Act affected thereby, and with the general farm organizations.

Mr. Philip: Shall or will?

Mr. Riddell: Shall.

I am sorry I haven't got this amendment written out. I had an amendment and I would like to read the amendment I had prior to the introduction of the amendment by the member for York South.

[5:00]

Mr. Chairman: Mr. Riddell, as an amendment to the amendment, moves that section 7 of the bill be struck out and the following inserted in lieu thereof:

7(1) The commission shall, respecting any proposed plan or proposed amendments to a plan, consult with

"(a) any local board under The Farm Products Marketing Act or marketing board under The Milk Act affected thereby:

"(b) the Christian Farmers' Federation;

"(c) the National Farmers' Union;

"(d) the Ontario Federation of Agriculture; and

"(e) such other organizations or groups of producers as the commission considers proper.

"(2) The failure or refusal to consult or continue consultation by any of the organizations referred to in clauses (a), (b), (c), (d) and (e) of subsection 1 does not affect the exercise by the commission or the Lieutenant Governor in Council of the powers contained in section 6."

That amendment to the amendment is before the committee now and we'll restrict

our remarks to that amendment to the amendment.

Mr. Riddell: Mr. Chairman if the member for York South would sooner use the word "negotiate" than "consult," then I'm in agreement with that.

Mr. MacDonald: That's a fascinating comment, that the hon. member should suddenly discover or that for a fleeting moment he should have thought there was no difference between "consult" and "negotiate." I was just going to draw his attention to the fact—

Mr. Nixon: We haven't been raised at Cliff Pilkey's knee.

Mr. MacDonald: I have the floor. Just quit your yakking for a moment.

The reasoned amendment that the Liberals moved last June referred to "a voluntary and contributory basis, with the government negotiating with legally constituted farm spokesmen." It said "negotiating."

Mr. Nixon: Fine. There you are.

Mr. MacDonald: Right. Mr. Chairman—

Mr. Chairman: Is it understood then, in the amendment to the amendment moved by the hon. member for Huron-Middlesex, that in the third line he is changing the word "consult" to "negotiate"?

Hon. W. Newman: No.

Mr. Bain: The minister understands the difference in the two words.

Mr. Chairman: Go ahead.

Mr. MacDonald: I'm sorry. Where do we stand?

Mr. Bain: Yes or no?

Mr. MacDonald: Yes or no?

Mr. Riddell: Yes.

Mr. MacDonald: If I have the floor, then let me make a brief comment. The amendment the Liberals have made is contradictory. They now are willing to accept "negotiate," and they'll negotiate with these commodity groups or milk marketing boards and the Christian Farmers' Federation, the National Farmers' Union, the Ontario Federation of Agriculture and such other organizations. But after they have negotiated, having substituted "negotiate" for "consult," they say the commission can go on and do as it damn well pleases. The purpose of negotiations is that

you come to an agreement, a negotiated agreement.

Mr. Nixon: That's not so.

Mr. MacDonald: This is—forgive me for putting it—this is a Tory concept. After they have negotiated, the commission can go ahead and do as it pleases. That's the whole import of the second part of the member's clause. As a matter of fact, the second part of his amendment is a revelation of the kind of approach the Liberals were taking, which was in keeping with consultation. Now they've gone to negotiation. Part two of the member's amendment is redundant and contradictory and illogical.

Mr. Nixon: You're going to vote for it, eh?

Mr. Riddell: I would tend to disagree for this reason—

Hon. W. Newman: All right, I'll do that, Mr. Chairman. The amendment to the amendment is a matter of interpretation whether we consult or negotiate. I'm prepared to accept the original amendment which says "consult"—"shall consult"—because it's a matter of interpretation when you get down the road on negotiations. It's been pointed out very clearly here this afternoon that, speaking to the subamendment, negotiation to the official opposition means a completely different thing from the interpretation I think the Liberal Party is thinking of.

Mr. Nixon: Cliff Pilkey gives them their dictionary.

Hon. W. Newman: I think really, in order to keep it clarified, it's very clear in this subamendment from the Liberals, "the commission shall consult" and that's the intention, "shall consult," with the various commodity groups, the various farm organizations—

Mr. Chairman: That's not the wording of the amendment to the amendment.

Hon. W. Newman: No, the wording is "negotiate," right?

Mr. Chairman: Right.

Hon. W. Newman: I'm only speaking against the subamendment to say that I feel that in the original subamendment before it was subamended, or however you want to put it, they were using the word "consult" makes it much clearer that they shall consult. Therefore I would be against the word "negotiate" because of the misinterpretation of the meaning of negotiation.

Mr. Nixon: Mr. Chairman, on a point of order, if I may just quote to you from page 807 of the Concise Oxford Dictionary, "negotiate" means: "Confer (with another) with view to compromise or agreement," and that is precisely what we mean in the use of the word "negotiate." If one of these organizations or commodity groups fails to negotiate, then we're not going to have the programme held up because of that one particular organization. In other words, we're simply saying in the second part that if one of these organizations is contacted and we try to negotiate with it and it simply fails to negotiate, then by negotiating with other organizations in connection with that particular commodity, the programme can still go through. We just don't want one negotiating party to be holding the thing up.

Mr. Chairman: So that the committee can be absolutely sure of what we're talking about, does the member for Huron-Middlesex agree that in section 2 the word "consult" should be changed to "negotiate"?

Mr. Riddell: I would think to be consistent.

Mr. Chairman: It says, "The failure or refusal to consult or continue consultation by any of the organizations referred to." The Chair doesn't want to be placed in the position of drafting amendments, but in the interests of uniformity—

Mr. Riddell: Yes, I would agree. We can substitute the word "negotiate." "The failure or refusal to negotiate or continue negotiating by any of the organizations referred to."

Hon. W. Newman: Mr. Chairman, I would like to talk about the two amendments. First, the amendment by the opposition critic—

Mr. Chairman: We can only deal with the amendment to the amendment. We can only have one motion before the committee under discussion, so if you'll confine your remarks to the amendment to the amendment.

Mr. Bain: I'm a little surprised at the former leader of the Liberal Party—

Hon. Mr. Timbrell: That is the good Liberal research.

Mr. Bain: You talk about discussing something in terms that the average farmer will understand. Do you talk to your neighbours with a dictionary in your pocket? I would hope you don't.

Mr. Moffatt: He has to. Nobody can understand him.

Mr. Nixon: Just to you.

Mr. Bain: The minister realizes what "negotiate" means.

Mr. Chairman: Will the hon. member for Timiskaming address his remarks to the Chair?

Mr. Bain: I'd be more than pleased to do that, Mr. Chairman. The minister realizes, Mr. Chairman, full well what "negotiate" means.

Mr. MacDonald: Sure he does.

Mr. Bain: He doesn't need a dictionary and I don't think any of the rest of us do either. The minister already consults with the beef producers in making changes from year to year in the cow-calf programme, and you must admit, they're very good sessions of consultation.

Interjections.

Mr. Bain: He leaves no stone unturned, but when these consultations are finished, the minister makes the decision and that's what consulting is all about. You ask what you feel about it. I asked your opinion on something, but if I'm only consulting you I make the decision.

I would suggest to the farmers in the Liberal caucus that if they would like to sell beef to me or a good dairy cow and they are agreeable to consult with me and then I can set the price, I'd be happy to buy any stock they would be willing to sell me.

But if they say they are going to negotiate the price with me, they know full well there is a big difference between negotiating the price. We have to arrive at a mutually acceptable price through negotiations. That's what negotiation is all about.

Mr. Nixon: Then you will be able to vote for our amendment.

Mr. Bain: Consultation means nothing in terms of tangible changes in the bill.

Mr. Nixon: You are supporting the amendment.

Mr. Bain: I hope the Liberal Party will agree to maintain the word "negotiate" in their amendment. It means a world of difference. The only problem in their amendment then becomes subsection 2. When you negotiate you've got to come to some sort of mutually acceptable conclusion. Failure to arrive at that conclusion cannot allow the commission to go ahead on its merry way to set up the mechanism of farm income stabilization.

Mr. Nixon: That's not what the Act says.

Mr. Bain: Although I'm sure the agriculture critic for the Liberal Party, the hon. member for Huron-Middlesex, does not mean to give the government an out of this sort, I would think negotiations will be perfectly clear to the government and if you just remove subsection 2 that will make sure there's no loophole. As long as that section stays in there is a definite loophole. The government need not negotiate beyond a certain period of time. They can negotiate, but with that subsection in there, at some point in time they'll say, "Sorry, there's no agreement; the commission can't come to an agreement with the constituted farm organizations. Therefore the commission has the right to proceed and set up all the parameters and all the specifics of farm income stabilization."

So you can't have that subsection in there and have meaningful negotiations.

Mr. Nixon: Question.

Mr. MacDonald: Question.

Hon. W. Newman: Mr. Chairman, I would like to make the record very clear. As far as I am concerned, if you're going to leave the word "negotiate" in the subamendment, I would like to interpret it and make the record very clear that it's not in the same terminology as the opposition party would interpret it. I'm quite prepared to take the dictionary or the legal terminology to negotiate—

Mr. Bain: Oh, Bill, when did you hide behind the dictionary? Come on.

Hon. W. Newman: I'm quite prepared to take the legal definition of "negotiate," but I prefer, and I would ask—

Look, I just don't want to have a major hang-up in the House here over a word that I think is very, very important. I would much prefer that the sub-sub-amendment didn't carry and the sub-amendment did carry, because I think it makes it much clearer.

But certainly if necessary, I will support the—is it the sub-sub-amendment?

Mr. Nixon: No, sub-amendment.

Mr. Chairman: The amendment to the amendment.

Hon. W. Newman: The amendment to the amendment. So in other words, an amendment was made. Then there was an amendment made to that; then there was a further amendment made. Is that not correct?

Mr. Nixon: No.

Mr. Chairman: No. We're dealing specifically with the amendment to the amendment as proposed by the hon. member for Huron-Middlesex.

Hon. W. Newman: Yes. Well, the hon. member for Huron-Middlesex has put in the word negotiate. I have some reservations about it, but in the interest of getting the bill into place, and also in the interest of the fact that we mean to really get down and consult with them, but not negotiations in the way that the official opposition would see it.

Hon. Mr. Handleman: If you want to bring in collective bargaining, put it in.

Mr. MacDonald: We will not support the amendment to the amendment. We will not support it, because "negotiate" means "negotiate," and he is willing to support it because he's leading the members up the garden path, and I trust they are going to recognize it.

Mr. Evans: You wouldn't support anything.

Mr. MacDonald: If they want genuine negotiation, if they want negotiations that are at all meaningful negotiations, I draw the members' attention to the second section of the amendment—

Mr. Nixon: The member knows what the word means. I quoted him the meaning of the word.

Mr. MacDonald: —namely: "The failure or refusal to negotiate or continue negotiations by any of the organizations referred to in clauses (a), (b), (c), (d) and (e) of section 1, doesn't affect the exercise by the commission or the Lieutenant Governor of the powers contained in section 6."

In other words, if they can't negotiate something that is acceptable to the farmers, they go ahead and do what they please. It's stated right there in their amendment.

Mr. Nixon. All right.

Mr. MacDonald: And that isn't negotiation. We will oppose this amendment to the amendment.

[5:15]

Mr. Nixon: It appears that the amendment to the amendment is going to carry and I hope that it does because it's a good one.

Mr. Bain: Government members might vote with us.

Mr. Nixon: We have already put an amendment into the bill which establishes the commission by law with representation from the three recognized farm organizations. That has already been accepted by all parties so that when the member for York South talks about the bureaucratic robot of the minister, he doesn't know what he is talking about, because these people are going to be nominated by the farm organizations and then appointed by law by the minister. That commission is going to be responsive and knowledgeable about the farm situation.

We believe the minister's section as it is before us now is ineffectual because it says the commission may talk to various people. We also believe the amendment put forward by the NDP could have been better constructed. Certainly they changed "may" to "shall," which we think is a good thing but they just talk about a generalized group of farmers. Then they get very specific and say that generalized group of farmers must deal with all of these specific matters.

I believe my colleague from Huron-Middlesex has put forward a very valuable amendment indeed when he says the commission—we have already changed that so that the commission represents the farmers—must deal with those areas in the farm economy established under law, that is, the marketing boards and the representatives of the milk industry as well as the representatives of each of the farm organizations which he lists in turn. It is not restrictive. He says any other group may participate in those negotiations. I have read to you the meaning of the word "negotiate." Cliff Pilkey, the president of the Ontario Federation of Labour, might argue with the Webster dictionary but the meaning is there and it can be interpreted.

Mr. Bain: Webster?

Mr. Moffatt: You said Oxford earlier.

Mr. Philip: You are Americanizing us.

Mr. Nixon: Not Webster, sorry; Oxford. We don't want the American but the Oxford dictionary.

Hon. Mr. Timbrell: Your research is falling down now.

Mr. Nixon: I would suggest to the members of the NDP that they would do well to support this amendment. We believe it will be effective in representing the valid interests of all concerned.

Mr. Roy: For once be on the right side.

Mr. MacDonald: I feel I must make some further comments. The observation was made by the spokesman from the Liberal Party that our amendment was loose. Just consider for a moment what is going to happen under the proposal of the Liberals. It says the commission "shall, respecting any proposed plan or proposed amendment to a plan, consult with." Now you have changed it to "negotiate." We see the difference between those words.

Mr. Nixon: That's why you should support it.

Mr. MacDonald: Whom are you going to consult with or negotiate with under your kind of consultation and your kind of negotiation, which is really consultation with any local board, including the milk board, then the Christian Farmers, then the National Farmers' Union, then the Federation of Agriculture and such other groups as you may draw in? Any time you are going to get a plan you are going to go out and get somebody representative of all these people and consult with them individually?

Mr. Nixon: You call a meeting for negotiation with those people, of course.

Mr. MacDonald: Collectively? Then after you have called that loosely gathered together meeting and have consulted, then under subsection 2, the commission can go back and exercise the powers it has under section 6 and do as it pleases. That isn't any kind of negotiation—Oxford dictionary, Webster dictionary or anything else. We will oppose this.

Mr. Nixon: While we are talking about loosely drawn amendments—and we believe ours is properly drawn—the one from the NDP which it is asking this House to support says the commission shall negotiate with a group of producers representative of a broad group.

Mr. MacDonald: That's right.

Mr. Nixon: Then they give them all the specific things they must discuss, which apparently excludes the matters the NDP has not put in that list. We believe the sub-amendment is one that could be of great value to the farmers and to the commission.

Mr. MacDonald: Again I am afraid I have got to correct the record here. We didn't exclude anything. If you read the last clause, we specified the specifics with which they can deal—

Mr. Roy: You are pretty touchy on that. Methinks you protest too much.

Mr. MacDonald: —and then in general all the terms and conditions operative under any plan or plans.

Mr. Nixon: Even the minister says he'll consider any plan or proposed plan. He is completely flexible in that regard.

Mr. MacDonald: If I may go back to my comments earlier, the commission in our amendment shall negotiate with a group of producers representative of general farm organizations and the producers of the commodities in question. I suggest to you that it may vary from group to group. Are you going to have the Christian Farmers in with regard to a commodity in a part of the province where they have no members involved in that commodity group? Is that what you're going to do?

Mr. Nixon: They will negotiate with the group made up of those representatives.

Mr. MacDonald: When I introduced the amendment I deliberately indicated that we had put it in general terms which would be clarified by regulation. We're going to have the guidance of experience and we will need that experience to find what is the best representative group involving general farm organizations and commodity groups. That is possible under our amendment and I think experience will indicate that is the best kind of approach.

Mr. Riddell: It may well be that the Christian Farmers would not care to negotiate if it is some commodity which does not in any way affect them or is not part of the area which they represent. That's their prerogative. If they don't wish to enter into negotiations, they don't have to.

The second part of this amendment simply says that if they or some commodity group don't care to negotiate, that doesn't mean the programme doesn't go ahead. There are certainly going to be producers of these commodities who do want to negotiate. Fine and dandy; if they are willing to sit down and negotiate, they can come up with some kind of a stabilization programme.

We're simply protecting ourselves by saying that if the Christian Farmers are approached to participate in the negotiations and they say, "No, we don't feel we want to because we don't happen to represent that particular area where the commodity is produced," fine and dandy, the programme will

still go ahead. This is all that the second part of that amendment does.

Hon. W. Newman: I'd like to point out that in subsection (2) I assume you have included the word "negotiate" instead of "consult"?

Mr. Riddell: Right.

Mr. Nixon: Yes.

Hon. W. Newman: So they are both the same? Fine. I don't have a copy.

Mr. Riddell: A good amendment.

Mr. Wildman: I didn't intend to participate in this debate but I find the last couple of exchanges among spokesmen for all three parties to be rather confusing largely because, I think, they are using the same word with very different meanings. It seems to me that the minister at first indicated that he thought there was a significant difference between the two words "negotiate" and "consult." At that time I agreed with him.

Mr. MacDonald: He was right.

Mr. Wildman: Then the member for Brant-Oxford-Norfolk read a definition out of a dictionary by which he tried to indicate that there really wasn't a great deal of difference between "negotiate" and "consult." I think the main problem is that we haven't yet dealt with the question of if it means "negotiate," is any agreement arrived at through the process of negotiation binding?

Is that what the Liberals mean by their amendment? If they mean that any agreement reached by negotiation between the representatives of the Ministry of Agriculture and Food and the various groups representing farmers and the commodity groups is binding, that would be acceptable but somehow I don't quite get that from what they're saying. They seem to be saying, "If they don't reach an agreement or if there's no desire to negotiate, there still could be a plan," which I find kind of difficult to understand. How can there be a plan if it requires negotiation to reach an agreement which is binding? If they don't reach an agreement, how can there be a plan? I don't understand that.

Interjection.

Mr. Wildman: Also there seems to be a problem in that among the groups listed there are some—at least one or two—which have already said they oppose this whole bill. I wonder how on earth you are going to have a negotiating session.

Mr. Nixon: The amendment clearly says if they don't want to participate the plan can go forward.

Mr. Wildman: It seems to me it would be a rather interesting negotiating session if you had representatives of the Christian Farmers, the union, the federation and a particular commodity group all sitting in a room, all with different ideas of what kind of plan they wanted or did not want, and they were supposed to negotiate. Rather than putting it in the bill, the argument as to who should represent the particular groups which are going to negotiate should be settled through regulation and through the study by the ministry and the various farm organizations involved.

That would be what I would think should involve consultation, and then negotiations should reach a final agreement. I can't understand at all how you could have negotiations which ended without reaching an agreement and still have a plan, if you believe that the negotiated agreement should be binding. If you don't have any agreement, how can you have a plan?

Mr. Nixon: That's right.

Mr. Roy: You should have followed your first idea not to participate.

Mr. Chairman: Are you ready for the question? The Chair is placed in the position of anticipating what might happen and I am thinking out loud here. The first question normally would be to put the amendment to the amendment as proposed by the hon. member for Huron-Middlesex. If that were to carry, the next question would be, does the amendment as amended carry? If I can anticipate the mood of the House, that would probably be defeated, in which case the only thing to be decided would be shall the section carry? That's not the mood of the House as I interpret it, so if there is unanimous agreement, I will put the amendment as proposed by Mr. MacDonald first.

Mr. Nixon: I would like to speak on the point that you bring forward. Normally, Mr. Chairman, as you pointed out, the amendment to the amendment would be put before the House first and I don't see why you could not proceed with that. If it were to be lost or carried, I don't think that the loss of an amendment to the amendment means that the motion is carried. I think that you would have to then proceed to the amendment. We discussed this last night it seems to me. It is only when an amendment is lost that the motion carries. Supposing you did put the amendment first and it might not carry, then

the motion would carry without our amendment being put forward. Yet our rules clearly call for an amendment to the amendment to be considered and I don't see you have any choice but to consider that first.

Mr. Chairman: No, I think the significance of the dilemma facing the Chair has escaped the hon. member. If I put the amendment to the amendment, I have a feeling that it would carry. Then I put the question before the committee; shall the amendment as amended carry? That would lose. Then you are right back to square one and the only question I should put before the committee is: Shall the section carry? So I have no alternative but to call the amendment first.

Mr. Bullbrook: May I just ask a question for my knowledge? Is my colleague from Brant-Oxford-Norfolk correct in anticipating that if the amendment doesn't carry, you then can't put forward the amendment to the amendment.

Mr. Chairman: If the amendment to the amendment doesn't carry, we are all right. If it does, we are in trouble.

Mr. MacDonald: We are in trouble.

Mr. Wildman: Let's forget about the whole thing.

Mr. Chairman: I see no alternative but to put the amendment as proposed by the hon. member for York South first. Do I have agreement on that?

Mr. Bullbrook: May I just rise for a moment? You certainly have my agreement once I understand it. Last night you were most indulgent with us going through the tremendous vagaries that we went through. I felt one of our problems last night was that many of the amendments were amendments to the original motion rather than amendments to the amendments. So if there is an understanding as to whether the second amendment constitutes an amendment to the motion or an amendment to the amendment, it seems to me that it relieves us of the dilemma which you feel you are in at the present time, Mr. Chairman. I just voice that for the sake of my clarification as to what's going on now and perhaps in the future we might remedy the problems we had last night.

Mr. Chairman: I think the Chair would have been better advised to have dealt with the motion proposed by the member for York South, and were it defeated, then to entertain another amendment. That wasn't the

sequence of events and we are faced with this dilemma. So I am going to place Mr. MacDonald's amendment which says—

[5:30]

Hon. Mr. Auld: Mr. Chairman, may I ask on a point of order what the position will be if you put Mr. MacDonald's amendment and that is defeated?

Mr. Chairman: Then I will put before the committee the motion by Mr. Riddell.

Mr. Evans: The amendment to the amendment.

Mr. Chairman: That is right. Does anyone have any objection to that procedure? All right.

What you are asked to vote on is: Mr. MacDonald moves that section 7 of the bill be deleted and the following substituted therefor: "The commission shall negotiate with a group of producers representative of general farm organizations and the producers of the commodity in question; one, the development of any plan; two, the revision of any plan; three, the base price; four, the cost of production index; five, the stabilization price; six, the payment of fees; seven, administrative procedures and in general all terms and conditions operative under any plan or plans."

Those in favour will please say "aye."

Those opposed will please say "nay."

In my opinion, the nays have it.

I declare the motion defeated.

Shall we stack this?

Agreed.

Mr. Chairman: We are going to have to stand down Mr. Riddell's amendment until this issue is dealt with in the stacking at the end of consideration of the bill.

We are now dealing with any section subsequent to section 7.

Sections 8 to 16, inclusive, agreed to.

On section 17:

Mr. MacDonald: I just want to make a brief statement here. I was going to move an amendment in section 17 which would have read as follows, "This Act comes into force on the first day of February 1977," because I don't know why the government should have the privilege of drifting along for months and months. But quite frankly I would prefer they would drift now because they have failed to bring in all the amendments that the Federation of Agriculture

and the farm union sought, which they contended would be necessary to make this a worthwhile piece of legislation.

There is some prospect now that they are going to pass an amendment which I predict will bring utter confusion in terms of the negotiating process. It is loose, ill-defined and they don't know whether they are talking about consultation or negotiations. Whereas when it gets into effect they are going to be talking about only consultation and the commission will go ahead and do as they please and even be in a position to impose a plan on a group of farmers when they can't reach an agreement as to exactly what they want. This, I think, is a denial of all that they have been talking about.

Mr. Wildman: It is a denial of freedom.

Mr. MacDonald: They are now going to have government imposition on farmers. Therefore I'd just as soon that this bill never came into effect and I am willing to leave it with the government, so I shan't move my amendment. They can bring it into effect when they choose to proclaim it and the longer they leave it the better.

Mr. Nixon: You have voted against it in principle.

Mr. MacDonald: I voted against it in principle—

Mr. Nixon: We voted against it.

Mr. MacDonald: —for precisely the same reason as Peter Hannam told the committee that without the amendment the bill is next to worthless.

Mr. Wildman: It is Liberal-Tory authoritarianism.

An hon. member: Quit crying.

Mr. MacDonald: I'm not crying.

Mr. Bain: Somebody's got to stand up for the farmers.

Mr. MacDonald: You will be crying when you have to deal with it.

Mr. Chairman: The hon. minister has the floor.

Hon. W. Newman: I don't know whether I am talking to an amendment or not, but I certainly would like to talk about—

Mr. MacDonald: There is no amendment.

Hon. W. Newman: Then I am going to talk about your proposed amendment. This whole programme is voluntary, contributory and has farmer participation. I said the commission was made up mainly of producers of this province and you are trying to tell me you aren't in favour of any sort of a programme to help these farmers of the province. If you don't want it then you vote against it.

Mr. Bain: We will be proud to vote against this shabby bill. It's a fraud.

Hon. W. Newman: Oh yes. You don't know much about farming.

Section 17 agreed to.

Section 18 agreed to.

The committee divided on Mr. MacDonald's amendment to section 6(1)(e), which was negatived on the following vote:

Ayes 30; nays 72.

Section 6 agreed to.

The committee divided on Mr. MacDonald's amendment to section 7, which was negatived on the same vote.

The committee divided on Mr. Riddell's amendment to section 7, which was approved on the same vote reversed.

Section 7, as amended, agreed to.

Bill 131, as amended, reported.

On motion by Hon. Mr. Welch, the committee of the whole House reported one bill with certain amendments.

THIRD READING

Hon. W. Newman moved third reading of Bill 131, An Act respecting Farm Income Stabilization.

Mr. Speaker: Those in favour will please say "aye."

Those opposed will please say "nay."

In my opinion, the ayes have it.

Motion agreed to.

The House recessed at 6:05 p. m.

APPENDIX

Standing Resources Development Committee

TUESDAY, DECEMBER 14, 1976

The committee met at 10:10 a.m.

THE WORKMEN'S
COMPENSATION BOARD

Mr. Chairman: We will call the meeting to order. Mr. Starr would like to make a statement at the beginning of the meeting.

Mr. Starr: Mr. Chairman, Madam Minister, ladies and gentlemen of the committee: First of all, may I take the privilege of introducing to you our corporate board. At the last meeting we were only five, but the Act provides for seven and we now have two additional members, which completes our corporate board in the number of seven. There is Mr. MacDonald, Vice-Chairman of Administration, next to me; Kenneth Harding is our Secretary; then there is William Reed, he is Vice-Chairman of Appeals. There is Mr. Decker, he is Commissioner of Appeals and a member of the board. Mr. Hamilton is a member of the board, Dr. Jacobs is a member of the board and Mr. Godin a member of the board. That completes our full board as provided for under the Act.

With us also, to answer any technical questions, are executive directors: Mr. Kerr, of Claims Services, Mr. Sweeney, of Administrative Resources, Mr. Greaves, of Financial and Legal Services; and along with him from the Finance Department is Mr. John Neal. We expect Dr. McCracken, head of our Rehabilitation Services, to be here momentarily.

Mr. Chairman, Madam Minister and ladies and gentlemen of the committee: Having filed this annual report for 1975, the board is pleased to attend before your committee to provide information and to answer questions concerning the administration of The Workmen's Compensation Act since our last attendance here about a year ago.

In my view, the past year has been a year of consolidation and accomplishment. Following the major changes in the past several years, I think we have now turned the corner and are building a stronger, better and more responsive organization along the lines which were proposed by the task force in 1973. We have not run out of critics or criticism, nor do we expect to. Constructive and objective criticism is useful in focusing our attention on areas of need and in reassessing our priorities. However, I think that we have reached a kind of balance in the criticisms that we hear. Rep-

resentatives of industry are now expressing vocal concern about the liberality of our decisions and our expenditures—

Mrs. Campbell: Oh no.

Mr. Starr: —just as vehemently as those who are speaking for workers complain from other viewpoints on the same subjects. While recommendations of worker groups are for broader benefits and greater latitudes, the position of industry is that with a current unfunded liability of approximately \$400 million, which by itself will require continuing substantial increases in assessment rates for several years, there is a substantial economic risk to the province if the kind of changes experienced in the past few years continue. Industry argues that the policy of giving the benefit of reasonable doubt is carried to unreasonable extremes and that current compensation levels have removed the incentives for some workmen toward rehabilitation and return to work.

There has been some public debate as to what benefit of reasonable doubt really means. A newspaper reported that the Leader of the Opposition (Mr. Lewis) called the board's policy balderdash. On the other hand, Gerry Gallagher, a leader in the labour union movement with 25 years' experience of workmen's compensation claims, told the same newspaper that in his experience the majority of claims are established on the benefit of doubt and many are established by simple phone calls. The fact is that the principle of reasonable doubt is a long standing policy at the board and that without it the need to obtain absolute proof in hundreds of thousands of cases would create an insurmountable adjudicative problem.

Where there are no eyewitnesses, where there are delays in relating a reported disability to an industrial cause, we must weigh the probabilities and make decisions of those probabilities for which the evidence and inferences are strongest.

In 1975 the board dealt with 395,528 new claims.

[10:15]

Mr. Mancini: Would you please repeat that? I'm sorry, Mr. Chairman.

Mr. Starr: There were 395,528 new claims.

Mr. Mancini: In 1975?

Mr. Starr: In 1975. We have, already this year, received 398,086 new claims in 1976 to the end of November, an increase of some

11.4 per cent. The forecast for the year is approximately 427,000, with a projected increase of three per cent in 1977.

In every year, of course, there are thousands of claims from prior years which require continuing attention and service. Our experience is that the longer a man is disabled, the greater the difficulties in treatment and rehabilitation will be. For this reason, long-term disabilities are managed by a more senior and experienced group of claims staff.

The cost of compensation claims continues to rise. Part of this trend is due to legislative benefit increases in prior years, particularly those that had retrospective features and part is due to the impact of inflation. But it is also a fact that the average length of disability has risen from 26.8 days in 1973 to 33.2 days in 1975. Now I'm not suggesting that there is an increase in fraudulent abuse or malingering, but I would suspect that attitudes toward work and social benefit systems, such as compensation and unemployment insurance, have changed in recent years and that today's benefit levels have reduced the economic pressures of earlier times.

The reality is that each increase of one day in the average length of disability adds several millions of dollars to our expenditures and decreases the earnings on which our income is based. This may also be a factor in the unfunded liabilities which are of great concern to industry.

Although we initially considered that a 35 per cent increase in assessments on industry was necessary in 1976, we eventually set the average at 22 per cent. Our 1977 rates will average a further 13 per cent higher than in 1976 and we anticipate additional similar increases in each of the next few years.

In the light of these substantial increases in assessments based on the volume of benefits paid out by the board, it is difficult to accept some of the criticism of the board to the effect that we are denying or restricting workmen's rights under the legislation.

When I became Chairman of the Workmen's Compensation Board in 1973, one of the criticisms was that the board should not take pride in the low administrative costs if it wasn't doing all that it should for those it is in business to serve. It has taken time to hire and train a great many new people to provide the levels and kinds of service required. In some areas we are still hiring and training to meet the demand for more and better services and to develop the levels of expertise which we need. We have achieved

a great deal already and we are pushing for more.

We have opened new area offices in London and in Hamilton, and we now make regular visits to a great many more cities and towns in the province than ever before. We haven't opened new offices in every city in which we have been asked to do so. We simply do not have the resources to spare for the full-time offices in places in which the current volume does not warrant it. We have had to say no at this time to requests for offices in several locations, including the large industrial centres of Oshawa and Sault Ste. Marie.

The reality facing the board is that we can only extend our services when we have both the justification and the trained people to provide an expert and quality service and that such requests should be evaluated on this basis.

We have decentralized a number of our operations and we have achieved greater levels of service as a result. We believe this is the more effective way of providing useful services over the largest area at this time.

As a matter of record, board staff are now providing regular services, based on volume, in Sarnia, Cornwall, Kirkland Lake, Timmins, New Liskeard, Cochrane, Kapuskasing, Hearst, Wawa, Atikokan, Fort Frances, Kenora, Red Lake, Dryden, Elliot Lake and Sault Ste. Marie; in addition to the major centres where we have full-time offices.

We also have two full-time information offices in Toronto. I was very pleased indeed to receive a very complimentary letter from Mrs. Ursula Appolloni MP, telling me of the courteous, efficient and sympathetic service her staff and constituents received.

Mr. Lewis: You wouldn't have got that from the previous incumbent.

Mr. Starr: I think I would have, because I know your dad very well and he is very courteous and realistic.

Mr. Lewis: He is courteous, but I know how he feels about the board.

Mr. Starr: Each of our new offices is now hooked into our head office computer to speed up and simplify servicing inquiries. About 30 per cent of all inquiries at area offices are now answered almost immediately from information obtained through these units. We have also initiated a pilot project at head office for the Sudbury and North Bay areas, by channeling all new claims

from those locations into two sections at the Toronto office so that we may determine the merits of a geographical allocation of claims at head office.

To give you an idea what this expansion has required, our area offices in 1973 employed a total of less than 50 people while this year the claims and the revenue staff alone outside Toronto totals 158. Our vocational rehabilitation service has been expanded from 96 to 156 in the same period to provide higher levels of service on a decentralized basis. Even so, our rehabilitation counsellors still have very high case loads of almost 100 per man, and the total case load has increased by 24 per cent in 1975 and a further 21 per cent plus in 1976.

Part of this increase is, of course, related to the 1974 amendment which provides for full compensation to temporarily partially disabled workers whose employers cannot provide suitable work when they are medically ready to undertake it. Our counsellors work with the man and his employer or other employers in order to help arrange suitable employment, but this is not an easy prospect at a time of high unemployment and economic constraint. We have also made substantial improvements in our appeal process, reducing the time it takes to get to an appeal board hearing and eliminating unnecessary preliminary inquiries where possible. There have been significant reductions in the number of cases in which inquiries need to be held without any dilution in the quality of the process.

Despite an increase in work load at the appeal board level, the time lag between the hearing and the decision has been reduced from 43.9 days in September, 1975, to 29.9 days. We do have some delays in scheduling and we are trying to overcome them, but one of the major causative factors is requests for postponement, 83 per cent of which are made by the claimant or his representative. At the inquiry level, between 20 and 33 per cent of scheduled inquiries are postponed and at the appeal board level for every 100 hearings held there are 60 postponements. We are still reviewing our appeals process to find ways and means of simplifying it and reducing the time factors, but there's no doubt that the elimination of cancellations would be the greatest single improvement if that could be achieved.

There are no easy or instant solutions to the very difficult problems which occur in the increasingly complex world of workmen's compensation. If there were, then I'm sure that other compensation jurisdictions would also have found them, but that is not often

the case. The Ontario board's policy on gastro-intestinal cancer and its rehabilitation programme in Elliot Lake are the first of their kind and reflect this board's willingness to move forward on an innovative basis. However, the board cannot assume the exclusive responsibility for researching the root causes of all diseases for which the origins are currently unknown. Nor can we accept claims simply on the basis that in the absence of any evidence of causality or otherwise the mere possibility that an industrial relationship could exist should be sufficient to grant entitlement.

Where the board finds it reasonable to believe that there may be a probability of relationship we will seek the advice of experts and, on the basis of their professional studies and opinions, we will assess our position and make decisions in a responsible manner.

We have made some notable advances in the area of industrial disease coverage in the past year. This is probably the most complex matter to face the board and we have broken new ground in developing policies which other jurisdictions are now studying with great interest.

I have learned that in the field of medical analysis and the delineation of statistical probabilities, patience is a virtue. It would indeed have been more satisfying to me personally to be able to leap intuitively to instant and accurate conclusions.

Mr. Lewis: Better your intuition than divination by your scientists.

Mr. Starr: But second guessing the professional experts is a luxury that as Chairman of the Workmen's Compensation Board I cannot afford.

Mr. Lewis: Then you should allow it.

[10:30]

Mr. Starr: While it is disconcertingly difficult to restrain my instinctive desire to respond to every presumptive allegation or speculative assertion, I believe it is more responsible to wait until the facts are known and then state the board's position clearly.

When our gastro-intestinal cancer analysis was complete and our decisions reached, it was indeed comforting to learn that the Leader of the Opposition had expressed complete agreement with the board's allowance of only one of the three cases about which there had been so much previous published speculation.

I understand that it is a statistical fact that of every three cases that would satisfy the

board's new criteria, one would have occurred without industrial exposure. The benefit of reasonable doubt based on the balance of probabilities enables all three to be allowed under the policy rather than rejecting all three because of the absence of absolute proof as to which do and which do not result from industrial exposure.

Ladies and gentlemen, we do not live in a perfect society where everything happens for the best. We live in a real world with the reality of its imperfections.

Mrs. Campbell: You can say that again.

Mr. Starr: The Workmen's Compensation Board is not perfect—

Mr. Lewis: No.

Mr. Starr: —but it is much better than it is often given credit for. While comparisons with other jurisdictions are not a substitute for meeting our own high standards, in fact we do compare very well. We have experienced a climate of rising expectations in which the board's performance tends often to be measured against idealistic standards. It seems to me that this is not realistic and that the board's activities should be evaluated on a more practical basis within the realm of what is possible and what is reasonable to expect, given the constraints of the availability of people, expertise and money and the need to set priorities for the use of scarce resources.

Our organization has dealt effectively with almost 400,000 claims this year. We have paid out some \$300 million in benefits in the first 10 months of 1976, an increase of 27.8 per cent over 1975.

Our organization will provide courteous, efficient and sympathetic services to close to 430,000 injured people in Ontario in 1977. We do not expect to do this without difficulty, without problems or without complaint, but we certainly will do our best to minimize them.

Mr. Chairman, ladies and gentlemen, I'm pleased to be here with my colleagues to talk to you about our work, to answer your questions simply and directly and to assure you that the Ontario Workmen's Compensation Board is a responsible, responsive agency which is providing an essential service to the people of our province. Thank you.

Mr. Chairman: We'll continue as we have in the past by alternating speakers. I understand that Mr. Lupusella is the leadoff speaker for the NDP followed by Mr. O'Neil for the Liberal Party.

Mr. Haggerty: Mr. Chairman, before we start I think we better try to set some ground rules here. I noticed a member come in with a stack of claims there. Are we going to go through them dealing with case after case, or are we going to use one for an example or something like that instead of going through an armful? Maybe he could speak for two or three hours or something like that. Our time is limited.

Mr. O'Neil: Yes, put on some time limit so that everybody can have a chance to be heard.

Mr. Lupusella: Mr. Chairman, my personal opinion is that in the leadoff speech, the official statement from each party, we should have an opportunity to use examples as a proof of criticism as well. Maybe when the leadoff speech is over, I think we could set up some rules about the proceeding of the committee if it is agreed on by everybody.

Mr. Haggerty: How long are you going to be? Are you going to be two hours in your leadoff speech, or three hours?

Mr. Lupusella: No, no; I don't think so.

Mr. Haggerty: Give us a time. That's what I'm trying to get at.

Mr. Lewis: Just a second. We have never suddenly put these constraints on before.

Mrs. Campbell: I think the problem is that we as Liberals sat here and waited. We asked to be on the list, there wasn't a New Democrat in the room; and now we're back to this business of alternating when we have been here sitting ready to proceed, and I think that is rather ignored in our position.

Mr. Lewis: I gather the chairman of the board started speaking—when, at around 10:15?

Mrs. Campbell: Yes, we were waiting for someone from the New Democratic Party to arrive.

Mr. Lewis: I appreciate that. I just want to suggest—can I ask the Chair and the minister what the likely timetabling of this committee will be? Can we take two minutes on that now?

Hon. B. Stephenson: We have, Mr. Chairman, to my knowledge, the period between 10 and 12 today, from 3 to 6 and from 8 to 10:30. I have some real problems tomorrow, I have to tell you, if there was an intention to continue tomorrow, because I have commitments for tomorrow morning; I

have a funeral and I have also another commitment for tomorrow afternoon which is going to be extremely difficult to get out of. However, if it's possible that you could hold the hearings, they will be recorded by Hansard, I will have an opportunity to read them.

Mr. Lewis: I was going to say, Madam Minister, where you have a conflict which you can't escape from is it mandatory that you be here?

Hon. B. Stephenson: That I don't know, to tell you the truth. I gather that it's traditional that the minister will be here, but I'm not sure that it's mandatory.

Mr. Lewis: It is traditional.

Mr. Maeck: I would suspect, Madam Minister, that if the committee agreed to your absence and to go ahead with the hearings, I don't think there would be anything wrong with that whatsoever.

Mr. Lewis: Our problem is that otherwise, even though we passed a special resolution in the House that the board comes before the committee exclusive of other matters, we'd be terribly confined; and to think of doing the Workmen's Compensation Board in one day is ludicrous.

Mr. Maeck: Of course, Mr. Lewis, there is Thursday to think about.

Mr. Lewis: Yes, I'm keeping that in mind. I'm just thinking that if we had today and tomorrow we might not need Thursday, or we would have Thursday to tie up loose ends. I'd hate to shove us to the last day of the session where we would be in conflict with the budget windups and everything else. That would be very difficult for members.

Hon. B. Stephenson: The original agreement, Mr. Chairman, that I gathered was reached by the House leaders, was that indeed there would be two days.

Mr. Maeck: As Mr. Lewis has suggested it could be run over to Thursday. It wasn't a final agreement that it would be two days only. I happen to have attended that particular meeting. However, this party would have no objections to your absence tomorrow if the other parties would agree; it's up to them. What would you say about that?

Mr. Lewis: Sure, we'd agree; surely.

Mr. Haggerty: No problem.

Mr. Maeck: That would probably solve the problem?

Hon. B. Stephenson: Thank you; yes, it would.

Mr. Lewis: That may solve the problem of being a little panicky about the time too, we will have the two full days with the option of coming back if we need it.

Mr. Chairman: I think in all fairness though that the two leadoff speakers should be able to divide the time this morning, because we have an hour and a half to share. Mr. Lupusella.

Mr. Lupusella: Mr. Chairman, let me make a comment. I think from now on, and for the future, the business and the problems of the Workmen's Compensation Board which affect the injured workers in our province need more priority and I don't think we can process their estimates in just two days. I hope Madam Minister in the future will take into consideration instead of two or three days having five days.

Hon. B. Stephenson: Mr. Chairman, if I might, we are not examining the estimates of the Workmen's Compensation Board, that is not the role of this committee. It is the role of this committee to examine the function of the Workmen's Compensation Board on the basis of their annual report.

Mr. Lupusella: It's the same thing.

Hon. B. Stephenson: That's much more important than the estimates.

Mr. Lupusella: It's the same thing; you're mentioning a technicality. In the Legislature I mentioned the budget of the Workmen's Compensation Board and you have been saying that we are going to deal with that in estimates, and today we don't deal with estimates. Then what are we dealing with, the report from the Workmen's Compensation Board?

Hon. B. Stephenson: If I may, Mr. Chairman, I have never used the word estimates related to the Workmen's Compensation Board. It was my understanding that that has never been the purpose for this meeting.

Mr. Lupusella: Okay. I don't want to be provocative, Mr. Chairman, but later on I'm going to provide evidence that in the Legislature the minister mentioned estimates because I used the word budget.

Mr. Lewis: Mr. Chairman, before my colleague begins, on a point of order: He may well be able to do it in the time that has been indicated, but it is without precedent

that the Chair should make a ruling about times on opening statements.

I'm not going to be party to trapping us into confining our observations about this board, about which we feel very strongly let me tell you; and let me convey through the Chair to Mr. Starr we are not pacified by the opening statement. We have things to say and this is our job as legislators and we're going to take the time to say it. If we have to ask the Legislature for an extended hearing into Thursday and beyond, we will ask it. I don't think that we should start by confining members in their observations. This is a leadoff statement on behalf of a party.

Mr. Chairman: I don't think we have to ask the Legislature for an extension into Thursday. I think that's a matter for us. We can meet on Thursday.

Mr. Lewis: We want to give to it the substance which we attribute to the board. This isn't some trifle, darn it all; we're dealing with the lives of workers and we're not going to be harassed into confining it into one or two days if it's necessary to go beyond. So please let the leadoff speeches be made. If they appear to be too lengthy, let's deal with it when that happens, but let's not judge in advance. Whatever the critics want to take, let them take.

Mr. Chairman: I think it's only fair that each opposition party should divide the time.

Mr. Lewis: Well it's interesting that the Chair suddenly construes fairness. It's the first committee that I can remember where leadoffs were suddenly under the gun. And that's because we're doing what we always do; we shove the board into the last hour of the session in the hope that it doesn't get the notice it deserves. We're tired of that, frankly.

Mr. Maeck: Mr. Chairman, that's what—

Interjections.

Mr. Lewis: Well look—every year we pass WCB legislation—

Mr. Chairman: Order.

Mr. Maeck: That isn't the case this year. There was an agreement between your House leader and ours.

Mr. Lewis: Well what alternative did Ian Deans have? We have no time.

Mr. Maeck: He made no alternative.

Mr. Lewis: We have no other time. You have the legislation—

Mr. Maeck: So blame it all on the Conservatives or the Liberals.

Mr. Lewis: Well I'm not blaming it on—

Mr. Maeck: Your people were party to the agreement.

Mr. Lewis: I'm not blaming it on anyone. I'm simply pointing out to you that circumstances always shove the Workmen's Compensation Board right into the last minute of the session; and that's terribly frustrating for the members who have a lot to deal with. I want to appeal that we give it as much time as possible.

Mr. Maeck: Fine. I have no objection to that.

Mr. Lewis: That's all. I don't deny the agreement.

Mr. Haggerty: Mr. Chairman, I raised the point because I wanted to see that everybody had ample time to express their views.

Mr. Lewis: Precisely.

Mr. Haggerty: We weren't going to have one person or two persons speak for two and a half hours or something like that. There are other persons who want to speak; it's rather an important matter concerning almost everybody in the province of Ontario and I just want to make sure that everybody has ample time to speak on some of the issues that will be raised here during the estimates.

Mr. O'Neil: The thing is if there is a rotation of time, if your man is given 45 minutes or an hour to start off with he can always come in after in the rotation.

Mr. Lewis: We won't fight with you on rotation of time. I just didn't want to get us into the box.

Mr. O'Neil: But the thing is that the lead-off could take a lot of time and we've run into this problem with other estimates before other committees.

Mr. Lewis: Then you're welcome to take time afterwards. I wouldn't restrict you, as Liberal leadoff critic, for a moment; I think that's your job. I don't want the time constraints overall to start intruding on our right to look at these estimates. These are some of the most important estimates, effectively, that have come before the House. Forgive my using the term. I'm sorry, Mr.

Chairman, I'll see you in St. Thomas.

Mr. Chairman: Mr. Lupusella.

Mr. Lupusella: Thank you very much, Mr. Chairman. I wasn't here at the beginning of the official statement of the Chairman of the Workmen's Compensation Board. I hope that the statement which he made about Ursula Appollini is true, because I don't get the same treatment from the Workmen's Compensation Board in my dealings with officials of the Workmen's Compensation Board. I have noticed since last year, 1975, when we were down here to discuss the activities of the Workmen's Compensation Board, a terrible delay with regard to appeals, phone calls made to the Workmen's Compensation Board; and I have great difficulty in dealing with the rehabilitation department, which in my opinion is a terrible disaster.

[10:45]

You have mentioned in your statement as well that you have been enlarging the activities and the functions of the Workmen's Compensation Board around the province. Let me read to you a letter which I received August 5, 1976, from a United Steelworkers of America local located in Sault Ste. Marie. "From January 1, 1976, to August 3, 1976, this office made 135 long distance calls to the Workmen's Compensation Board. Since June 1, 1976, when the chairman of the compensation, safety and health committee of the United Steelworkers of America took office there have been 178 people in to see me about compensation. In the same period I wrote between 55 and 60 letters to the Workmen's Compensation Board.

"I would like to be able to put down in figures the number of phone calls this office handles daily concerning people seeking information about workmen's compensation. Although we don't keep a complete record of this, I would say we average five or six local calls each day regarding compensation. I would like to add that since January 1, 1976, we have obtained for the people in this area \$171,873 in awards, and \$2,784 in monthly payments.

"Local 2251 of the United Steelworkers of America, being the only local between Elliot Lake and Wawa, Ontario, with a full-time member working on compensation and serving all these people find out that it would be most advantageous to have a permanent compensation office here in Sault Ste. Marie. By this we don't mean an information centre, but a fully staffed office that can make decisions and adjudicate claims." I don't know

if since August 5, 1976, the service which the Chairman of the Workmen's Compensation Board has been mentioning has been really improved or is deteriorating.

Mr. Starr: Yes, I can assure you it has.

Mr. Lupusella: Mr. Chairman, Madam Minister and members of the committee, I have been looking forward to the presentation of the estimates—I am going to correct the word estimates if Madam Minister feels so strongly—but at any rate, I have anticipated discussing the Workmen's Compensation Board for a long time in view of the insensitivity of Workmen's Compensation Board officials in operating the whole structure of the Workmen's Compensation Board; and the inaction of the Chairman of the Workmen's Compensation Board, Mr. Starr, in making immediate changes on behalf of injured workers in this province; and the catastrophic failure of the Minister of Labour in not introducing legislation which can improve the whole working structure of the board and prevent injuries on the job in the province of Ontario, which are extremely high. We should also strive for improvement of the bureaucratic system with which injured workers have to cope with a view to making the modern concrete structure at 2 Bloor Street more humane and approachable for injured people in this province.

I would like to make some remarks about the Chairman of the Workmen's Compensation Board. On June 26, 1975, the former Minister of Labour, the Hon. Mr. MacBeth, mentioned in the House: "I would remind the members that workmen's compensation is paid to people as a right and regardless of their monetary or independent means; that is the point I would ask them to keep in mind as they proceed along today."

This was at the introduction of the amendments which were enacted in 1975. "I would also just like to take a minute to pay tribute to the Hon. Michael Starr, who I think has done an excellent job in revamping the board since he assumed its leadership. He has presented, I think, a more humane approach to the problems of the workmen than perhaps existed before, he has made the board and its staff accessible; and he and the board are responsible, as I say, for many of the suggestions that have come forward today."

Mr. Chairman, I don't see the sense of humanity expressed in the words of the Hon. Mr. MacBeth about the Chairman of the Workmen's Compensation Board. We are writing letters to the chairman of the board.

There is a terrible delay. He has been telling us that he would take a look into the situation, and then that is the end. When we present those problems, by channeling those problems to each branch of the Workmen's Compensation Board, the response is negative and insensitive, that is how I am quoting what is happening at the Workmen's Compensation Board.

Hon. B. Stephenson: You are quoting whom?

Mr. Lupusella: According to myself.

Hon. B. Stephenson: You are quoting yourself?

Mr. Lupusella: And I am going to give you proof later.

Mr. Lewis: That's a pretty authoritative source.

Hon. B. Stephenson: I simply wanted to clarify it.

Mr. Lupusella: My own opinion is that in The Workmen's Compensation Board Act it is not clearly spelled out that compensation is paid to people as a right, otherwise injured workers wouldn't need to fight to get their benefits. Talking about the humane approach which is used by the board, I would like to give you an example of a case on which I have been dealing with the board for quite a long time during this year, which is the most discriminatory case that I have seen since I came to Canada, and let me use this expression. I think the minister remembers that I mentioned this particular case in the Legislature in my budget debate speech in June, 1976, and it seems that to date I haven't been able to finalize this particular problem.

I am talking about an injured worker who at the moment is unable to talk. His name is Carmelo Longo, claim C8142863. He has been declared totally disabled by specialist doctors, is unable to speak, and the Workmen's Compensation Board allowed just 80 per cent of his disability. I have been dealing with the board in order that he is going to be recognized as 100 per cent disabled.

I want to go through the summary of information prepared on September 30, 1976. Since it is a serious allegation which I am making, I think I have to spend some time in order to go through this particular case.

The issue is, Mr. Chairman, "claiming that the permanent partial disability award based on a clinical rating of 83 per cent does not

adequately reflect the residual disability resulting from the industrial accident of November 27, 1969." We have been claiming 100 per cent disability. This case is the most obvious one to show how the Workmen's Compensation Board is dealing with injured workers in this province.

"Diagnosis: Head injury—post concussive syndrome." I am sorry if I don't pronounce properly certain medical words. "Vertigo; hysterical pseudo-dementia; psycho-neurotic reaction.

"History: On November 27, 1969, Mr. Carmelo Longo, then aged 44, while employed with Triple F Forming Limited, was taking a hook off a form when the hook swung around and struck him in the head. He was treated by Dr. P. C. Yau who diagnosed head injury with post concussional syndrome.

"Mr. Longo was subsequently assessed by a neurologist, an otolaryngologist and psychiatrist. Mr. Longo also underwent a period of assessment at the board's hospital and rehabilitation centre.

"Psychiatric entitlement was accepted on an aggravation basis, thus entitling Mr. Longo to one half the assessed value on a permanent basis. Various periods of a temporary total and temporary partial benefits have been paid to January 30, 1976.

"Mr. Longo was originally assessed by the pension branch October 10, 1976"—this case, Madam Minister, really gives you, and that's why I want to go through the history of this man, a clear example of how each branch of the Workmen's Compensation Board is operating toward injured workers.

"Mr. Longo was originally assessed by the pension branch October 10, 1972, and granted a provisional award for two years based on a 10 per cent clinical rating for the residual organic disability and 40 per cent for the psychological neurosis. As Mr. Longo was entitled to one-half of the psychiatric disability, a total award of 30 per cent was processed. A 30 per cent special supplement was also granted but this was cancelled June 28, 1973, as Mr. Longo was placed back on temporary total disability benefits due to further treatment.

"Review of medical documentation in 1976 concluded that Mr. Longo would be totally disabled but due to the limitations factors, he would be only entitled to a permanent partial disability award based on 80 per cent of the award. Thus a permanent partial disability award based on a clinical rating of 80 per cent was granted.

"It was subsequently determined that Mr. Longo would be entitled to a permanent par-

tial disability award based on a total of 83 per cent." At the beginning it wasn't even 83 per cent but 80 per cent. As soon as I started appealing the case, I received a letter from the Workmen's Compensation Board saying that there was an error—a mistake—therefore the award was increased to 83 per cent before making the appeal.

"Sixty per cent of the costs have been applied to the second injury and enhancement fund."

The vocational rehabilitation branch was actively involved with Mr. Longo for a number of years. However, on June 10, 1976, they closed their file for the third time as Mr. Longo was totally disabled and not rehabilitable.

I want to emphasize, to the minister, that this man was unable to talk since he had his injury. In view of that, you have to understand how the Workmen's Compensation Board, in particular the rehabilitation department, is trying to rehabilitate a human being who is completely unable to react because he has no memory since the day of his accident. He falls down; he is covered with bruises. When I took this man before the board, of course, he was unable to speak; he was like a veritable vegetable.

[11:00]

"Report of physician, December, 1969: Mr. Longo was examined December 1, 1969, at the Humber Memorial Hospital with a history of having been struck on the head on November 28, 1969, by a swinging crane. Diagnosis was head injury with post-concussional syndrome.

"Report of Neurosurgeon, February, 1970: Mr. Longo had few complaints apart from occasional bi-frontal headaches. His memory was poor and he had problems concentrating.

"Examination indicated that Mr. Longo looked profoundly depressed. Neurological examination was probably within normal limits. The more subtle tests were not possible because of the limited intellectual ability. The consultant's main concern was to exclude a chronic subdural haematoma which might have been resultant from the concussion and head injury. He did not present the clinical picture of a subdural and the consultant was more inclined to think that he had reactive depression secondary to trauma. Further investigation was required.

"Report of neurosurgeon, May, 1970: Mr. Longo was reassessed May 27, 1970, still complaining of dizzy attacks coming on two or three times a day. He stated that he had fallen down a good deal." I don't think he was able to talk—I don't know who wrote

this summary of information—because he has been unable to talk since he was injured.

"Again Mr. Longo seemed profoundly depressed and unhappy. The onus was on the consultant to completely exclude organic difficulty.

"Report of otolaryngologist, July, 1970: Consultant felt that Mr. Longo had a mild or moderate right frontal temporal head injury and that the symptom of spinning of surroundings that went on for five or six days afterwards was probably not organic as there was no associated nausea nor had he any auditory loss.

"Examination revealed that his ears were normal and hearing was virtually normal although there was a little upper frequency stimulation loss which would not necessarily be related to his injury.

"The consultant felt there was a mixture of organic and functional and that the latter was a much more important cause of the present disability. The consultant suspected depression and anxiety as being important in the perpetuation of his symptoms. The finding of the positional nystagmus however pointed to a probable brain stem localization of the effect and one would have to assume under these circumstances that this was the result of the head injury.

"Report of neurosurgeon, July, 1970: Mr. Longo was re-examined July 23, 1970, still complaining of dizzy spells though possibly these were less severe and less frequent than they were some months before.

"An EEG report from February, 1970, indicated a focal left parietal temporal abnormality which was quite possibly related to his injury. The consultant felt that Mr. Longo had a huge functional overlay which constituted the largest part of his disability, based on a mild organic post traumatic syndrome, the objective evidence of which was the normal EEG and the otolaryngologist's findings of nystagmus.

"Further EEGs and brain scan were to be ordered and if these were normal then it was recommended that he be admitted to the board's hospital and rehabilitation centre for assessment.

"Report of otolaryngologist, January, 1971: Mr. Longo was examined due to his continuing complaints of dizziness. The consultant found no spontaneous nystagmus and no nystagmus was elicited by positional testing. Mr. Longo exhibited no pathological tone decay. Impedance bridge testing showed that he had normal middle ear pressure and normal middle ear function.

"The consultant felt that there were minor findings of doubtful significance which could be related to the head injury. On the other hand he would agree that there was strong functional overlay.

"Hospital and rehabilitation centre discharge report, February, 1971: Mr. Longo had been admitted to the board's hospital and rehabilitation centre November 30, 1970, and temporarily discharged December 9, 1970. He was readmitted January 4, 1971, and now was being discharged February 2, 1971. At the centre, Mr. Longo performed poorly and continued to complain of dizziness from bending and sudden, quick movements, as well as frequent headaches."

I don't know who made such statements because, as I stated before, he was unable to speak from the very beginning.

"It was concluded that Mr. Longo had very little organic disability. Final diagnosis was concussive cerebral injury with residual vertigo, post traumatic neurosis with anxiety and depression."

"Hospital and rehabilitation centre discharge report, February, 1971: Mr. Longo's case was discussed at the Head Injury Conference on February 17, 1971. It was concluded that Mr. Longo had largely recovered from the direct effect of his injury but continued with partial disability from his neurosis.

"Report dated February 1972: Mr. Longo was reviewed February 18, 1972, still complaining of dizziness, headaches, loss of short-term memory, loss of libido, tiredness and emotional upset. He indicated that he was in absolutely no condition to work.

"Examination had not changed since his previous visit. He had difficulty performing the Romberg test with eyes closed, he walked with difficulty with his eyes closed on normal gait and could not perform the tandem gait at all.

"Audiogram was normal. The remainder of the ENG was unchanged. Diagnosis was post-cerebral concussion syndrome with superimposed mental disturbances."

Mr. Lewis: What was that?

Mr. Lupusella: Superimposed mental disturbances.

Mr. Lewis: Superimposed, okay.

Mr. Lupusella: "Report of May, 1972; Mr. Longo was seen on an out-patient basis at the neurological clinic at the board's hospital and rehabilitation centre. Mr. Longo still had not returned to work and indicated that

he had only worked two hours in a gas station but had spilled some of the gasoline and his services were terminated.

"The consultant felt that Mr. Longo's problems were totally functional and that he was rather badly disabled by his functional component. The consultant felt that it was possible that Mr. Longo was quite capable of doing some selective type of work in his present physical condition and that Mr. Longo had largely recovered from the direct effect of the head injury but continued with partial disability from his neurosis.

"Report dated August, 1972: Mr. Longo was reassessed August 3, 1972. The consultant felt that there was no doubt whatsoever that at least 90 per cent of Mr. Longo's disability was not organic. The consultant felt he was quite physically capable of doing a number of types of work, especially those on which he could remain on the ground. The consultant did not know whether his psychogenic disability should be categorized as hysterical or malingering but it seemed that the maintenance of Mr. Longo on a high level of compensation would do nothing but prolong his disability and make it impossible for him to rehabilitate himself."

Mr. Lewis: Is this the board's summary?

Mr. Lupusella: Yes it is. That's how the board is working and that's why I don't believe in what Mr. Michael Starr is saying in his statement.

Interjection.

Mr. Lupusella: This is not just one case, I think you should fire those people working down at the board. You should advise them that's not a humane way of dealing with injured workers, people who are working in this province to create this so-called well-being of the province of Ontario. That's the response of the government. That's the response of the Chairman of the Workmen's Compensation Board running the bureaucratic system which is existing down at 2 Bloor Street East.

"Report of psychiatrist, August, 1972: Mr. Longo was assessed August 31, 1972, complaining of dizziness, an inability to read because his vision was not good and an inability to watch television. He also indicated that since his accident he was not able to write in Italian but had been able to read a bit. It was noted that Mr. Longo's wife was also suffering from what appeared to be some emotional disorder.

"Diagnosis was psycho-neurotic reaction and from a psychiatric point of view, Mr.

Longo's disability at the present time could have been estimated at approximately 40 per cent. His psychiatric disability was triggered off by the accident of November 27, 1969. Other factors responsible for his psychiatric disability were to be sought in previous dramatizing experiences but mainly in a secondary gain motives.

"There was a man who had been working hard since early childhood and had sustained an injury causing inorganic lesion of the central nervous system, also mild in nature. No psychiatric treatment could be expected to yield favourable results under the present circumstances. It may have been advisable to finalize his compensation claim. The prognosis was unfavourable.

"Opinion of surgical consultant, September, 1972. It was thought that there was a relationship between Mr. Longo's present psychiatric disability and the incident described as having occurred on November 27, 1969. It was thought that the relationship was in the range of 10 per cent to 30 per cent.

"Opinion of senior pensions medical adviser, October, 1972: Mr. Longo was examined at the board's offices on October 10, 1972. Examination indicated a minor organic portion of the disability due to Mr. Longo's vertigo. The evidence pointed to the major portion being hysterical with a strong hint that there was some conscious magnification. Under the circumstances it was felt that one could process a provisional award of 10 per cent for the physical aspects of the vertigo. Despite the very restricted entitlement for psychiatric disability, it was recommended that an additional 20 per cent, one-half of the psychiatric disability, be given for a total of 30 per cent. Review was to occur in two years.

"Report of physician, June, 1973: Report indicated that Mr. Longo had been admitted to St. Joseph's hospital, May 2, 1973, and had a vagotomy and pyloroplasty performed for a duodenal ulcer. This had no relation to his compensable disability. He was now convalescing from the operation and would be fit for rehabilitation in approximately one month.

"Report of neurosurgeon, February, 1974: Mr. Longo related that he spent all of his time indoors at home doing absolutely nothing. He spent much time in bed. He scarcely even watched television because it bothers him. He claimed to be literate but did not read because he claimed reading made him vomit. He indicated that he had lost his memory, had loss of balance and he had headaches.

"Examination revealed that he exhibited numerous psychiatric manifestations. His answers to many questions were almost deliberately constructed to demonstrate his memory failure. It seemed that his answers to most questions were almost carefully calculated in an attempt to demonstrate his problem." For the knowledge of the committee, when there was this appearance, Mr. Longo was full of bruises because he was easily falling down.

"In the examining room, his behaviour was quite astonishing. When asked to bend forward and touch his toes he conveniently fell down on the floor without hurting himself. When he sat up on the examining bed, he deliberately leaned forward and then leaned back suddenly and hard, hitting his head on the wall."

[11:15]

That's the response in the patient's assessment, when the man is taken in to have his pension assessed. That's the response of the doctor visiting Mr. Longo at that time.

"No physical abnormality on neurological examination could be demonstrated.

"The consultant felt that Mr. Longo had a severe psychotic disorder but was uncertain as to whether his problem was merely malingering or hysteria or on the other hand whether there was also severe depression involved. He was certainly quite disabled and needed some assistance from a psychiatric point of view.

"Report of psychiatrist, April, 1974: Mr. Longo had been referred to another psychiatrist for a review who felt that Mr. Longo was suffering from an hysterical or disassociation reaction as the main disability of his compensation or accident neurosis. The amnesia and his low intellectual performance were of a psychogenic or hysterical origin. At the present time his disability from a psychological standpoint was 70 per cent. The consultant agreed with the previous psychiatrist that the factors responsible for his present disability apart from the original accident were his loss in occupation status, his basically unsupported situation at home with a sick wife and the secondary gain motive, meagre as it might be.

"It was not felt, however, at the present time, that Mr. Longo would be able to respond adequately if one finalized his Workmen's Compensation claim. To be able to terminate the claim and to help him return to the labour force, he needed the assistance of the rehabilitation department and a few brief sessions of psychotherapy from an

Italian-speaking psychiatrist." That's unbelievable.

Mr. Lewis: You notice that the psychiatrist found psycho-neurotic disorders. It was only the board that found malingering and a gross magnification of his condition. Surely it makes you wonder about the basis on which the pension consultants review a man's—

Mr. Lupusella: That's how you are assessing the patients.

Mr. Haggerty: Mr. Lupusella has the floor.

Mr. Lewis: While he was drinking water I thought I'd keep it going.

Mr. Lupusella: "Report of psychiatrist, June, 1974. The psychiatrist had a discussion with the vocational rehabilitation counsellor and also had received some information from the Manpower offices where they informed the consultant that they could not do much for Mr. Longo unless he was declared capable of returning to work." Either way, I don't see any particular justification unless the Workmen's Compensation Board, in co-operation with the Ministry of Labour, is going to create the right infrastructure to place those people back to work on light duty. I don't like even the words light job, because such classification does not exist in any part of the world.

What happens when a man is cut off to 50 per cent or, at the moment, if he's co-operating with the Workmen's Compensation Board and is going to show co-operation by going to seek employment, the first thing the Workmen's Compensation Board does is tell the injured worker, "Go to Canada Manpower. Go around, find the job by yourself; a light job. Come back with a list of places where you have been seeking employment." That's the kind of co-operation which at the moment the Workmen's Compensation Board is looking for in order that payment of full compensation won't be stopped.

How is it possible? Are you willing to create such an infrastructure in order that light duty is going to be given to those people who are partially disabled?

Hon. B. Stephenson: It's entirely misleading to suggest—

Mr. Lupusella: What's the policy of your government?

Hon. B. Stephenson: —that the first action of the rehabilitation branch is to send them to Manpower. You know that is not factual.

Mr. Lupusella: It is factual.

Hon. B. Stephenson: No, it is not factual.

Mr. Lupusella: Because those injured workers by going down there with canes and with their obvious disability—first of all they are requesting a medical report from their family doctor. Then they get in touch with the Workmen's Compensation Board and with—

Hon. B. Stephenson: Who is requesting? Manpower is?

Mr. Lupusella: Yes. Officers down at Canada Manpower.

Hon. B. Stephenson: Fine; so long as I know.

Mr. Lupusella: Because as soon as they mention that they have been disabled they want to know the nature of their disability. When they bring back the report that the man can do just a modified and a light job, of course, there is no way that the Canada Manpower in the past, up to the present time and in the future, is going to look after light jobs for those injured workers. I would like to know what is the position of your ministry and you, as the Minister of Labour of this province; do you have a thought about doing something with this particular problem? For me, it is really insensitive to send those people around asking for light jobs, bringing those lists down to the rehabilitation department in order that their payments won't be cut off.

Hon. B. Stephenson: Are you asking me a question? Have I thought about it?

Mr. Lupusella: Yes. I am asking, are you willing—do you have some future plan?

Hon. B. Stephenson: Yes. We are thinking about it. We are reviewing a programme which we are hoping to establish. There already is a programme at the Workmen's Compensation Board with employers who are co-operating with the board in the development—

Mr. Lupusella: Yes; we haven't got into the other problem yet. Okay, if this one is a pilot —

Hon. B. Stephenson: If you don't want the answers, fine.

Mr. Lupusella: —a project then we get into the problem later on.

Let me proceed with this case because it gives a general view of the performance which has been applied by the Workmen's

Compensation Board in the past and up to the present time.

"Report of psychiatrist dated December, 1974: Mr. Longo had originally been assessed by the psychiatrist on April 23, 1974, and Mr. Longo had been followed every month for a total of eight visits for brief psychotherapy. Mr. Longo complained of pain in his chest; severe depression; almost complete hopelessness; total demoralization; and pains in his stomach. He presented himself a number of times with bruises on his shins, bones and forehead which had been caused by falling on the ground while having spells of dizziness. He also claimed poor memory; inability to concentrate and to organize his thinking; and an inability to use public transport.

"The psychiatrist felt Mr. Longo was still severely disabled from a psychiatric point of view. The condition was considered a hysterical dissociation reaction although some of the symptoms, such as dizziness, may have been in part contributed to by the large number of tranquilizers and sleeping pills that he was taking.

"Opinion of consulting psychiatrist, September, 1975: The board's consulting psychiatrist had reviewed the numerous documents and information on file and indicated that the compensable accident of November 27, 1969, precipitated a moderately related hysterical neurosis which was totally disabling at the present time.

"Opinion of surgical consultant, September, 1975: The question of psychiatric entitlement had arisen. The consultant did not think this was of a permanent nature. The various factors involved were many and it was felt that one should accept one-third of a 40 per cent disability for a period of two years and that an award of a lump sum should be made. It was not felt that any treatment was indicated.

"Opinion of surgical consultant, November, 1975: The surgical consultant had examined Mr. Longo and carried out an interview with his vocational rehabilitation counsellor on November 13, 1975.

"Mr. Longo had completely withdrawn from society and had made no effort whatsoever to conduct his own affairs. He needed help in dressing and it was the consultant's view that he was totally disabled. The consultant was wondering now, after further review, whether or not the previous decision regarding Mr. Longo's psychiatric entitlement had been correct.

"It was felt that an independent review of Mr. Longo's psychiatric state by an Italian-speaking psychiatrist who had complete empathy with a man of Mr. Longo's nature and his relations was essential in order that Mr. Longo not be done an injustice. At the moment he was totally disabled and it was felt that Mr. Longo should be continued on total disability benefits until this matter was cleared up.

"Report of Mental Health Centre, August, 1975: Mr. Longo had been referred to the Queen Street Mental Health Centre for further investigation and possible long-term institutional care. All investigations were normal. Neurological and psychological assessment revealed no organic basis for his symptoms.

"Mr. Longo had been admitted on June 9, 1975, and was discharged on August 1, 1975, when his sister volunteered to look after him until his wife had recovered from further surgery. His sister had become ill and she had returned Mr. Longo to the care of his wife who was unable to look after him." I have documentation that his wife got sick because she was supposed to look after her husband.

"At the present he remained on an inpatient status at the hospital and was unable to work. His disability was total—100 per cent. The diagnosis remained the same, mainly hysterical neurosis."

I want to read almost the last opinion of the senior pensions medical adviser. His name is Dr. Chovil. He has been involved in this case, I found out from officials of the Workmen's Compensation Board; this is dated January, 1976. Madam Minister, I hope this doctor is going to leave the board.

"Mr. Longo had been rated at 30 per cent provisionally some years ago but this had expired and he had been back on temporary total disability benefits. He had a head injury with organic vertigo and associated psychological breakdown that had now become total and permanent. Medical advice suggested that now that previous entitlement was too restrictive.

"One would have to consider him to be 100 per cent disabled. Limitation should apply as he did have restrictions of intelligence, education and cultural background that were in effect pre-existing psychological disabilities."

Can I understand the meaning of those words? I am referring this question to the Chairman who is running the Workmen's Compensation Board machine with all the expertise of the doctors involved with that

board, working for that board. Is this a fair statement towards an injured worker who has been injured on the job, has been recognized as disabled, otherwise the Workmen's Compensation Board wouldn't pay him benefits?

Talking to his wife, this man has been working steadily for the last 13 or 14 years. He was working in Germany and when I made an appearance before the board I introduced and presented documentation that he had been working for the post office in Germany. By hearing those comments, it seems that it is the opinion of the board that this man was in some way stupid. He was unable to do something and that's why this limitation was supposed to be applied. What for?

Hon. B. Stephenson: I'm sorry, I did not hear closely what it was you said. May I read it and then perhaps I—

Mr. Lupusella: Why not? This one has an opinion of a senior pensions medical adviser.

Hon. B. Stephenson: Yes; that I heard, but I did not hear it all.

[11:30]

Mr. Lupusella: "One would have to consider him to be 100 per cent disabled. Limitation should apply as he did have restrictions of intelligence, education and a cultural background that were, in effect, a pre-existing psychological disability."

Hon. B. Stephenson: A pre-existing psychological disability.

Mr. Lupusella: Yes. How can someone make such allegations to a man about limitation or restriction of intelligence? What's the measure to find out if there is a limitation of intelligence? Education—he was very well educated because he worked for the post office in Germany—and cultural background were, in effect, pre-existing psychological disabilities? What's the effect of this cultural background that in the opinion of the senior pensions medical adviser were pre-existing when this man has been working for 13 years?

Hon. B. Stephenson: I would imagine that the statement suggests that, indeed, there was a pre-existing psychology difficulty before the accident occurred, and that the consultant is making that diagnosis on the basis of information which he has.

Mr. Lupusella: My question is how can you make sure, for God's sake, that this man had a restriction of intelligence? What's the

measure to find out that someone is stupid, is intelligent, is an intellectual, when this man has been working for the last 13 years in Germany and here in Canada? How can you make such allegations?

Hon. B. Stephenson: Mr. Chairman and Mr. Lupusella, there are adequate tests which are carried out by psychologists, which obviously this man has undergone over a period of six years.

Mr. Lupusella: But this man was unable to communicate, Madam Minister, with those psychiatrists.

Hon. B. Stephenson: It does not require vocal communication to do psychological testing. I'm sure if you ask your colleague, Mr. McClellan, he'll be pleased to tell you there are many tests of this nature which do not require vocal communication.

Mr. McClellan: I know about the Workmen's Compensation Board's testing. They use psychiatric assessments as epithets.

Hon. B. Stephenson: I'm not talking about the Workmen's Compensation Board. He has also been assessed by psychiatrists outside of the board system as well, Mr. Lupusella.

Mr. Lupusella: So in other words you don't see anything wrong with those board statements?

Hon. B. Stephenson: I didn't say that, Mr. Lupusella. You asked me a question, I was trying to answer it. On what basis would he make that diagnosis? On the basis that psychological testing has been done over a period of approximately six years.

Mr. Lupusella: The point which I would like to make, Madam Minister is that the attitude of the board and the opinions expressed by the senior pensions medical adviser are really discriminatory; that's the point which I would like to make. How can you evaluate a person, when he has been working for 13 years or 14 years in other countries, and when he comes to Canada and an injury takes place, then we hear the allegations from the Workmen's Compensation Board in order that they can reduce the percentage of the disability for which they are responsible? If you think this is a good practice for Workmen's Compensation Board officials, it's an approach with which I completely disagree.

Hon. B. Stephenson: You are entitled to your opinion. I most certainly could not make a comprehensive statement about it, since I

do not have the entire psychological, psychiatric or even physical records of this individual. I heard all of the remarks you made.

Mr. Lupusella: I have it: and I stated during my appeal before the board, Madam Minister, that this man was unable to communicate with psychiatrists because he is not talking.

Hon. B. Stephenson: I don't know that. I don't have any factual information about this.

Mr. Lupusella: Anyway, Madam Minister, the point which I would like to raise on this case, is that what the Chairman of the Workmen's Compensation Board has been stating previously is not correct.

Hon. B. Stephenson: About what?

Mr. Lupusella: About the whole operation of the Workmen's Compensation Board toward injured workers, on helping them, on extending its activities. The board has been extending its activities in a very ineffective way; and injured workers in this province, Madam Minister, are suffering the consequences of something which is fundamentally wrong in the Workmen's Compensation Board.

Hon. B. Stephenson: If I may, Mr. Chairman, what I have heard Mr. Lupusella read is that indeed this injured workman has been given an 83 per cent total disability benefit, if you like, over a period of, I don't know what time because I don't have all the documentation, on the basis of the fact that he has developed a severe psycho-neurosis as a result of an injury. It has apparently been stated that as a result of the examinations which have been carried out that there were pre-existing problems which have complicated this, and that was the basis upon which the assessment was made.

Now that's the kind of factual information which—

Mr. Lupusella: That is a philosophy with which I completely disagree, Madam Minister.

Hon. B. Stephenson: It's not a philosophy—

Mr. Lupusella: That's an approach which is clearly followed by the Workmen's Compensation Board. Now if we are here to criticize and tell the board what is wrong, those are the facts.

I haven't heard you taking a particular position that there is something wrong. The Chairman of the Workmen's Compensation Board, and yourself, Madam Minister, when we talk about workers of this province, in-

jured workers of the province of Ontario, it seems that there aren't problems.

The practice of the Workmen's Compensation Board in relation to the different branches, like the pension department, appeal system, is evident; because this case involves all the branches of the Workmen's Compensation Board. My point, Madam Minister, is that the board at 2 Bloor Street East doesn't accomplish what is required for the needs of the workers and the injured workers in the province of Ontario. That's the point which I would like to raise.

Mr. Starr: I think the record should be kept straight; this is one case that Mr. Lupusella is now citing—

Mr. Lupusella: It's not just one case.

Mr. Starr: —out of 400,000 cases that come before the board each and every year.

Mr. Lupusella: We can take the cases—

Mr. Starr: I would ask Mr. Lupusella if he will now tell us the decision of the appeal board on this case.

Mr. Lupusella: Because I made the appeal and because I was—

Mr. Starr: Tell us the decision of the appeal board.

Mr. Lupusella: We'll go through that; we are going to finish the case because it is not finished yet.

Mr. Starr: Well okay, I'm waiting expectantly till the end.

Mr. Lupusella: In other words, this man has been recognized 100 per cent disabled but no grants were allowed to his wife to look after the injured worker, so this decision is still pending down at the board.

Mr. di Santo: After how many years?

Mr. Lupusella: After how many years? It's since—

Hon. B. Stephenson: Nineteen sixty-nine.

Mr. Lupusella: Since 1969; and the famous crusade is not ended in 1976. If that's the way our injured workers are supposed to fight to get their rights from the Workmen's Compensation Board, I completely and vigorously disagree with that.

Hon. B. Stephenson: Mr. Lupusella, during all of those years the injured workman in fact was on total disability pension a number of times, because of his psychiatric

assessment and his inability, psychiatrically or psychologically, to function.

Mr. di Santo: How much was the injury a consequence of the negative attitude at the Workmen's Compensation Board on his disability? It's another question.

Hon. B. Stephenson: I think perhaps it should be remembered that it is only within the last three or four years, I believe, that indeed the psychological or psychiatric component—two and a half to three years—that the psychological or psychiatric component of injuries has been recognized by Workmen's Compensation Boards as compensable by boards. Indeed this is not limited to the province of Ontario. I think Ontario has begun relatively early to recognize, at least the partial effect of this. The fact that they have moved as far as they have, I think, is beneficial to the workers.

This is a situation which perhaps was engendered by the expertise of physicians over a number of years when they felt that the role of the Workmen's Compensation Board in any jurisdiction was to compensate for physical injury. They did not, in fact, take into account the psychiatric side effects or secondary effects, which you have demonstrated very clearly in the presentation of this case are the major problems here. There is a very minimal physical problem and the major problem is the psychiatric overlay or the functional overlay.

Mr. Lupusella: What was the board's effect on all this?

Hon. B. Stephenson: It has been recognized, it is in the process of being recognized.

Mr. Lupusella: I don't believe all that.

Hon. B. Stephenson: It is an evolutionary process, it's not something that happens overnight.

Mr. Lupusella: I don't believe that.

Hon. B. Stephenson: I'm sorry you don't.

Mr. Lupusella: That's how the case is standing, but I completely disagree with that. The functional overlay which you are talking about and which the Workmen's Compensation Board is effectively applying—this is one of the cases in which the board has been recognizing a high percentage of functional psychological problems. Most of the psychological problems are assessed by the Workmen's Compensation Board at the degree of five to 10 per cent or 15 per cent.

Now if this man who had this injury in 1969—

Hon. B. Stephenson: Mr. Lupusella, you promised you would complete the case, which you haven't done as yet.

Mr. Lupusella: Yes, I promised that. The case was completed. I apologize for making this remark, Mr. Chairman, but it was because I got involved in the case. Otherwise, this man didn't have his rights recognized by the Workmen's Compensation Board.

Even so, the case is incomplete to date, although he was recognized as being 100 per cent disabled, based on the psychological assessment, because his case is going to be reviewed in two year's time. The decision to grant the allowance to his wife to look after him is still pending. I hope the Workmen's Compensation Board is going to speed up such process because this man—I feel completely sorry about this man. His wife got sick because of the condition of her husband.

"Opinion of pensions adjudicator, June, 1976: It was not felt that there was any need to review the application of the second injury and enhancement fund. The 83 per cent award would be broken down into the first 15 per cent, plus 80 per cent of the remaining 85 per cent; that is 15 per cent plus 68 per cent for an overall award of 83 per cent.

"On November 6, 1972, Mr. Longo was granted a provisional partial disability award based on a clinical rating of 30 per cent for two years to November 6, 1974. This award yielded a monthly pension of \$104.50. A 30 per cent special supplement was granted from January 28, 1973, to May 28, 1973, which awarded an additional \$104.50 per month. A 35 per cent special supplement was granted from March 28, 1973, to June 28 1973, in the amount of \$121.75.

"On January 30, 1976, Mr. Longo was granted a permanent partial disability award based on clinical rating of 80 per cent dating from January 30, 1976, which yielded an award of \$348.75 per month. This award was increased to a clinical rating of 83 per cent on June 22, 1976, dating from January 30, 1976, Mr. Longo's present pension yields \$362 per month.

"Review branch decision, June 7, 1976: On June 7, 1976, the claims review branch denied Mr. Longo's appeal and confirmed the 83 per cent permanent partial disability award."

When I got in touch with the Workmen's Compensation Board by sending them all the medical evidence which was already

existing on his file, they denied the appeal. Why? I was making certain requests, saying, "It's a really serious case and I don't think you need justification or going through the appeal system to increase his pension to 100 per cent disability." The review branch decision on June 7, 1976, denied the request which I made.

Okay, we are talking about this man who, unfortunately, is unable to defend himself, but if I was not involved in this particular case, who is going to defend Mr. Longo? Is this the way our injured workers in this province are supposed to deal with the Workmen's Compensation Board? Are those the proceedings through which workers of this province, when they get injured, are supposed to deal with the Workmen's Compensation Board? That's what's happening.

Mr. Starr: It was dealt with very fairly.

Mr. Lupusella: That's what's happening.

Mr. Starr: Of course, it was—

[11:45]

Mr. Lupusella: Now here is a clear case, Mr. Chairman, with medical evidence on the file; when I write a letter requesting certain benefits and then the review branch is going to deny those benefits should I go down there to present the man and to make him my own case when the case is very clearly spelled out? That's what's happening in the province of Ontario with injured workers when they are dealing with the board.

If the Workmen's Compensation Board considers benefits a right to be given to the injured workers these benefits which they are allowed to get and if they then have to fight for this then any statement which Madam Minister, through the Chair which Madam Minister makes in the House I think is just a paradox; I don't believe it. These are the realities. The minister talks about a different world which in practice does not exist. You are making certain statements in the Legislature which in the real world are not existing.

Hon. B. Stephenson: Oh but they do, Mr. Lupusella.

Mr. Lupusella: Madam Minister, if I had been elected—

Hon. B. Stephenson: There are certain instances in which there are difficulties, and this one obviously is one with difficulties.

Mr. Lupusella: It is not just one.

Hon. B. Stephenson: But the vast majority—

Mr. Lupusella: It is one of the many.

Hon. B. Stephenson: —of cases are dealt with very expeditiously and very fairly by the board. This is a specific problem related to a specific difficulty which all Workmen's Compensation Boards, indeed all health professionals, are having problems in solving.

Mr. Lupusella: Madam Minister, this one is one example of so many which I have in my office. To tell you the truth, I don't mind helping injured workers and I don't want to make my own case here. I am sure officials of the Workmen's Compensation Board are aware of the number of letters which I write to them on a daily basis. This is the kind of a response; and I am going to give you more evidence to show the attitude and how stubborn the board is when you are requesting certain rights. That's really the wrong approach.

If I have been elected as a member of the Legislature to go down to the Workmen's Compensation Board to present cases every day, something is fundamentally wrong there and I don't think the improvements which were made, or which the Chairman of the Workmen's Compensation Board is claiming have been made, are producing the desired effect for injured workers.

Mr. Starr: Yes, they are.

Mr. Lupusella: They are not. I presented another case before the appeal board, and do you know the response of the appeals examiner? He said: "Mr. Lupusella, if you really want to help this man, I think you should get in touch with the rehabilitation department. You speak his own language. You go there and you deal with the officials of the rehabilitation department." I requested a transcript of this particular case from the board. They didn't send me a copy of that transcript so that I would have the evidence today to show that it is not my duty to take cases down to the board every day instead of doing my legislative work.

Hon. B. Stephenson: But the rehabilitation branch—

Mr. Lupusella: Now if there are programmes and problems, Madam Minister, it is your duty and the duty of the Chairman of the Workmen's Compensation Board to look after the activities which are going on down at Bloor Street, East. It is not our duty.

We raise problems as members of the Legislature. When the issue of Premier Picture Frame Manufacturing was raised in the House, I submitted a supplementary question requesting that full compensation be restored to those people, to those injured workers who were fired by that particular company. The response of Madam Minister, Mr. Chairman, was that they had to investigate the case before taking the situation into consideration at Premier.

Hon. B. Stephenson: No, that wasn't precisely what I said, Mr. Lupusella, and if you will check Hansard you will find—

Mr. Lupusella: I will check that.

Hon. B. Stephenson: —that I said that those who were co-operating with the rehabilitation branch would automatically be on full compensation, because that's the programme. If there were other reasons for their discharge and they were not co-operating then—

Mr. Lupusella: That's why I'm telling you, and I have been telling you, that in the House you are dealing with the Act as it is and the kind of benefits which injured workers are supposed to get.

Hon. B. Stephenson: At the moment we have to deal with the Act as it is.

Mr. Lupusella: Right. But in reality, the reality is not an automatic system in which injured workers are going to get such benefits. If they were fired, those 11 people at Premier Picture Frame—11 injured workers were involved if I am not mistaken about the figures—for most of them their benefits were cut off. For some of them the benefits were completely cut off, and others were cut off to 50 per cent. That's why I raised the question. Why the Workmen's Compensation Board—

Hon. B. Stephenson: That depended upon the circumstances.

Mr. Lupusella: But they had been co-operating down there, Madam Minister. You know the problem involved at Premier Picture Frame at that time, when the contract signed between the Workmen's Compensation Board and the owner of this company was going to expire there was automatic firing of those injured workers.

Hon. B. Stephenson: That was not the situation; there were—

Mr. Maeck: Mr. Chairman, on a point of order. This is becoming a debate. It's supposed to be the leadoff speech.

Mr. Lupusella: Okay, I apologize.

Mr. Maeck: There are other people. Mr. Lupusella is going to have chances to ask Mr. Starr and the minister later questions that he might ask. But I think if we are going to follow procedure in this committee I think perhaps we should be going ahead with the leadoff speech and letting the other ones do the same.

Mr. Starr: Mr. Chairman, if we are going to discuss particular individual cases and the merits of those cases and we would have to answer certain questions about those particular cases, then I think we should be told which cases they are. We would have to then get a written agreement from the claimant to discuss his case in this committee.

Hon. B. Stephenson: May I just express some concern.

Mr. Starr: We can't divulge—

Hon. B. Stephenson: I sincerely hope that Mr. Lupusella had the agreement of Mr. Longo—

Mr. Lupusella: Oh yes.

Hon. B. Stephenson: —to divulge all of the personal medical information which was divulged to this committee.

Mr. Lupusella: Yes, I have that permission.

Hon. B. Stephenson: Good. Do you have that in written form?

Mr. Lupusella: No, not written form.

Hon. B. Stephenson: It's unfortunate—

Mr. Yakabuski: You must get it or this committee will not discuss it.

Mr. Lupusella: Mr. Chairman, on a point of order. The case which I brought up—

Hon. B. Stephenson: That's not a point of order that is law.

Mr. Lupusella: The case which I brought up, Mr. Chairman, was just to give—

Mr. Starr: We can't answer questions about any case unless we have written consent.

Mr. Lupusella: Well, this one is a law.

Mr. Mancini: You mean to discuss all those cases you have to have written consent?

Mr. Starr: From the claimant if we are going to divulge information in the file about him.

Mr. Lupusella: I don't think that is a fair position.

Mr. Mancini: Just on this point of order, if I may. Why did the Chair allow this type of debate for nearly three and a half days last year?

Mr. Starr: Not this type of debate.

Mr. Mancini: Certainly it was.

Mr. Lupusella: Yes, we brought up—

Mr. Mancini: Certainly it was, Mr. Starr.

Mr. Starr: No names were mentioned. No names were mentioned about any—

Hon. B. Stephenson: They were—

Mr. Mancini: One of the claimants was even here in the back of the room.

Mr. Starr: Well then he wanted, he allowed it to be—

Mr. Lupusella: He didn't give us any particular permission. If we are dealing with particular cases and if we are going to find out what is happening through those injured workers I don't think there is any objection to discuss their problems here, Mr. Chairman. I think that those cases—

Mrs. Campbell: Excuse me, if I may, just on this point.

I understand the concern of the leadoff speaker for the NDP, and I understand that in using names what he has tried to do is to be specific, to address himself to what he sees as problems. However, I would urge—if I may suggest it—that he deal with cases without identification unless he has himself protected, because it leaves this committee in the position where we really can't discuss the case as a public issue.

I'm only offering that as a piece of advice, if I may; unasked-for advice is seldom welcome I understand that, but I really think that we'll all in an embarrassing position if in fact this isn't fully covered.

Is it possible for him to proceed with case A, B, C, with the proviso that he could deal with it privately with the minister and others in identification? I think it's important to this speaker and to this committee. I don't want to muzzle him; I just feel he may be in trouble if he continues that's all.

Mr. Lupusella: I appreciate the comments which the hon. member made, Mr. Chairman, but we are not dealing with secret diseases involving the pension. The problems

which we are raising here are based on injuries which have taken place on the job.

Mrs. Campbell: I recognize that.

Mr. Lupusella: That's why, when you made the statement in the Legislature about the freedom of information in relation to the bill which was introduced by my colleague the member for Temiskaming (Mr. Bain) to release medical information to the claimant, in view of, I don't know, psychological problems which might arise.

Hon. B. Stephenson: Mr. Chairman, medical information is very private and personal information and there are laws within this province which cover that situation completely. I would not want to see any member of this committee in contempt of those laws.

Mr. Lupusella: As the hon. member stated, we won't mention the names but I think we can report the attitude of those specialists.

Hon. B. Stephenson: The reporting is perfectly fine provided you identify the individuals only by their claim numbers or by some identification other than their names. Indeed it would be dreadful to have members of this committee in contempt of the law of the province, which does protect the privacy of individuals related specifically to their personal medical condition; and which I think has to be upheld.

Mr. Lupusella: I do appreciate this exposition. I'm going to follow such procedure, Madam Minister.

Mrs. Campbell: Providing that is what we are upholding.

Hon. B. Stephenson: Yes; as long as it's personal and private information.

Mrs. Campbell: That's right; and not the OMA.

Hon. B. Stephenson: I'm talking about individual privacy.

Mr. Chairman: Mr. Mancini has a point of order.

Mr. Mancini: Yes, I'd just like to say that I'm very surprised that this has come out. I, like many other members of the Legislature, served our first term starting last year, so I particularly, and I'm sure many others, kept a close eye on the activities and how the committees function. I was very active in these estimates last year. Many individual cases were brought up, and I will say that

the people here representing the board were taking down the claim numbers—

Hon. B. Stephenson: The claim numbers.

Mr. Mancini: —the names and the claim numbers of these people just as fast as they were coming out. I really don't think it's fair to have one set of rules for the committee last year and another set this year.

I for one didn't happen to mention any cases last year, I was new in that year and I really don't think we should use these estimates for that particular thing. I think we can have open access to the Chairman, at least I've had it and I'm sure all the other members do, so I think we should leave our particular cases to our meetings with the Chairman.

I'm sure not all the other members agree with what I say, so they should have their opportunity to discuss it here, as we did last year.

Mr. Maeck: On that point of order.

Mr. Chairman: Mr. O'Neil has a point.

Mr. O'Neil: Go ahead.

Mr. Maeck: I was just going to say it's not a matter of what this committee decides it's a matter of what the law is in the province of Ontario. If we did it wrong last year—I wasn't at this particular meeting last year—but if it was done wrong, two wrongs don't make a right. If the law says we can't do that, I don't think this committee should even entertain the idea.

Hon. B. Stephenson: In most instances last year the individuals were identified by their claim number. I don't recall; there may have been names mentioned, I don't recall it.

Mr. Lupusella: If there were names maybe we can find out—

Mr. Mancini: As a matter of fact I mentioned—

Hon. B. Stephenson: The other thing was that indeed the entire medical report was not read into the record. There were simply

comments made about it or questions raised about certain claims.

Mr. Mancini: This year I happen to have one case I'd like to bring up.

Hon. B. Stephenson: Well identify it by claim number, that's perfectly fine.

[12:00]

Mr. O'Neil: Mr. Chairman, we've hit 12 o'clock which means the member has been speaking for about an hour and three-quarters. Can we expect that the Liberals can get into their leadoff and possibly you could continue later with questions on certain cases?

Mr. Lupusella: I have one question. I am going to proceed with my leadoff speech in a very general term—

Mrs. Campbell: He's just started?

Interjections.

Mr. O'Neil: I wonder if I could ask how long the member intends to continue with the leadoff, so we can—

Mr. Lupusella: It's a serious matter and—

Mr. O'Neil: I realize it's a serious matter but we also have comments we'd like to make.

Mrs. Campbell: Yes, it's serious for us too; and we were here on time.

Mr. O'Neil: I feel that the chairman or the committee as a whole should make some sort of a decision so the different parties are given a chance for their lead-in speeches and then the other members can continue at a later time. We could be here all today and tomorrow with one lead-in, and respectfully, in fairness, I think the other party should be given some chance.

Mr. Lupusella: Yes. I don't have any objection. I'll try to be fast and I will continue with my comments this afternoon.

Mr. Chairman: Since it's now 12 o'clock, I'll leave the chair and we'll resume after question period.

The committee recessed at 12:02 p.m.

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Workmen's Compensation Board official taking part:

Starr, M., Chairman.



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Evening Session

Speaker: Honourable Russell Daniel Rowe
Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

TUESDAY, DECEMBER 14, 1976

The House resumed at 8:05 p.m.

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH AMENDMENT ACT

Mr. Norton, on behalf of Hon. Mr. McKeough, moved second reading of Bill 187, An Act to amend The Regional Municipality of Hamilton-Wentworth Act, 1973.

Mr. Makarchuk: You made it.

Mr. Deans: I did indeed. Mr. Speaker, I'm going to be very brief in regard to second reading of the bill because we anticipate that the bill will go to committee in order that some amendments might be moved. There are some questions we might want to ask when we get to committee and I think that would be the appropriate place to do so.

The debate on the takeover of the Hamilton Street Railway by the region has been a long debate and has taken a good deal of time. It wasn't really finalized, I think it's fair to say, until Sunday last. It's been ongoing and I can recall having a number of meetings over the last year and a half or perhaps even longer with the ministry with regard to it.

I think it's fair to say the bill as it now stands has fairly widespread support. That doesn't mean it has unanimous support by any means nor does it mean that everything we on this side of the House and everything that many people in the community feel ought to be included is included. We do understand—and a nod would suffice—that the ministry has made an undertaking that at some time in the next session of the Legislature, when the bill is in place and it's working, if some of the deficiencies which are anticipated do show up, the ministry won't feel averse to bringing in some further amendments to make the bill more suitable to the overall needs of the municipalities outside the city of Hamilton.

There are two areas of concern which I want to raise. One which has been raised in terms of the discussion that took place over the last weekend and prior to that,

concerns the rights of the smaller municipalities and whether they are adequately protected with regard to the provision not only of the existing service but also future services which might well be needed.

One thing that has concerned me and I raise it now is that the Hamilton Street Railway, in the last short period of time, has been doing a fair amount of reducing of the service available. The Hamilton Street Railway has done it; and its subsidiary operation, the Canada Coach Lines, has been reducing services to many of the neighbouring municipalities. By reducing those services they have put the municipalities at a distinct disadvantage. The town of Stoney Creek is perhaps the most obvious one. It would seem to me, if we are talking about simply providing the service which currently exists, the service which currently exists really is not adequate.

What I'm saying to the members, and, I suppose, I'm saying to the parliamentary assistant in the hope that the Hamilton Street Railway might even read it and the neighboring municipalities might pay some attention to it, is that it seems to me if this service is going to be of any value at all, if this bill is going to provide any useful additional service to the total area, it has to be simply the starting point. We can't leave the impression that any one of us is satisfied that the level of service now being provided is in any way commensurate with what we believe to be the need for the area. The Hamilton Street Railway, which will become, I suppose, the Hamilton-Wentworth Street Railway, should take upon itself the responsibilities of providing service as it is required.

Let me say that the reason I raise it has very much to do with the ongoing debate between Gray Coach and Greyhound. Unless a service has it brought to its attention that what is being provided is not adequate and therefore as the result of that its jurisdiction is somehow in jeopardy, then that service will never be in a position to make adequate judgements about what it ought to be doing in order to meet whatever the criteria are that enabled it to have the sole jurisdiction in the first place.

What we should require of the regional municipality, the regional government, is that it should set out a policy quite clearly and not leave it up to the Hamilton Street Railway on its own. The regional municipality should establish a policy of service to the entire community and how that service is going to be phased in and how it's going to be provided since we have at this point in time provided a method of compensating them, if not adequately, at least compensating them for the additional services they might render. I think we should have an understanding with the regional municipality that they have an obligation to set out pretty clearly what they anticipate the overall regional needs to be and how the Hamilton Street Railway, acting as an arm of the regional municipality, will provide for those needs.

We should bring to the regional municipality's attention that that policy is its responsibility. It is not the responsibility of the Hamilton Street Railway. It is the responsibility of the regional municipality and the regional council. Regional council has to set the policy for the street railway and has to be answerable for the actions of the railway and the service that is or is not provided in much the same way that I think the government of Ontario should be answerable for policy in the overall in the province of Ontario in terms of the provision of transportation both for the movement of people and things around the province.

We have to make it clear to them that what they have to address themselves to is ensuring that there is a clearly understandable policy in terms of existing service and the provision of future service. The best example that comes to my mind is that the Ontario Housing Corporation undertook to build under the HOME programme a fairly substantial housing development on Saltfleet Mountain, but it took me two and a half years to get the Hamilton Street Railway to provide one bus. I think that that ought not to have been. It seems to me we have to make it clear that that cannot be abided in the future and that that's something we are not prepared to accept.

There's another problem and it's one I think the minister or the parliamentary assistant may give some consideration to before we reach committee. There is nothing in this bill that addresses itself to the protection of the employees. At the present moment, as I understand it, the employees of the Hamilton Street Railway have a pension plan that is private in nature. It's a

private pension plan directed solely for the employees of the Hamilton Street Railway. My concern about this is that, as there is a takeover from the city of Hamilton to the regional municipality, those employees should be provided with all the protections we would normally expect to provide for employees who are affected by a transition of their power or a movement of their employment from one area to another.

[8:15]

What you are doing in essence tonight, if we pass the bill, is arranging that those employees will cease to be employees of the city's Hamilton Street Railway and will become employees of the transit commission of the regional municipality of Hamilton-Wentworth. I want to be sure that in that transition, and in order that I don't have to confront Ted Stringer some day, that it be clearly set out in the bill that all of the rights and privileges and all of the contractual arrangements in force at the time that this transition takes place—

Mr. Kerrio: You're not even a wine drinker, Ian.

Mr. Deans: Why don't you go back to your party?

Mr. Cunningham: We need a quorum.

Mr. Deans: I want to be sure that they will remain in force and in effect for these employees and any future employees. I just don't want to leave it to chance. The parliamentary assistant might want to say to me that we fully intend that these employees will not in any way be disrupted, discriminated against or deprived. But I've been this road a number of times and I would much prefer if the draftsman of the bill could find a way to draft a clause that would guarantee that all of the benefits that currently have been negotiated and are in place are made available to each of those employees under the new employer system. I don't think it requires any masterful mind to draft it; I can do it while the debate's going on if that's necessary, though I think I would probably prefer if it were done by the ministry in order to make sure that it conforms with the normal, legal language that we would have in legislation of this type.

I don't want to see us being put in the position of having to have arbitrations take place in the province over the employees' rights in the Hamilton Street Railway as they previously existed, over and against what they can reasonably expect to have

when it's taken over by the regional municipality.

With those few comments, and they are few comments, I suggest to the parliamentary assistant that we will approve the bill, recognizing that we fully anticipate that in March of the coming year or thereabouts there probably will be amendments forthcoming to satisfy some of the legitimate points raised by a number of people in the municipality over their protection, and hoping that the minister will bring in an amendment to the bill now that will ensure that at the time of takeover all of the contractual obligations previously undertaken by the Hamilton Street Railway will become the responsibility of the new entity set up under this bill.

Mr. Cunningham: Mr. Speaker, inherent in the acceptance of my party and my own participation here as the member for Wentworth North would be the understanding that the government is accepting the views put forth by the member for Wentworth as they relate to the acceptance of previous commitments—

Mr. Shore: Where are all your colleagues?

Mr. Cunningham: Sorry, Marvin?

Mr. Shore: Do you like talking to yourself there? Where are all your buddies?

Mr. Cunningham: Did you want to be invited? I'm sorry. If you'd stuck around a little longer you would have been invited.

Mr. Shore: I was invited.

Mr. Cunningham: You should stop while you're ahead, Marvin, because I'll tell you there'll be no party for you—not a Conservative Party, not a New Democratic Party. There'll be no party for you, Marvin. But if you want to speak to this bill, I would invite you to get involved in this discussion as it relates to the Hamilton-Wentworth Transit Commission.

Mr. Deans: This was your going away party and you missed it.

Mr. Cunningham: Although, recognizing the fact that you're an authority on so many subjects, especially bankruptcies, and I want to tell you, Marvin, given the particular financial—

Mr. Deputy Speaker: Order, please. Will the hon. member for Wentworth North ignore the interjections and speak specifically to Bill 187?

Mr. Cunningham: I will, Mr. Speaker, and I want to say that you, probably more than many members, would appreciate the financial difficulties that affect the people of the region of Hamilton-Wentworth with regard to the bill. Given the fact that you appreciate that, I'm sure the member for London North would appreciate it as well. I'm sure he would be willing to participate in this debate as it relates to possible relief of tax dollars for those people who are so badly and adversely affected by regional government—but possibly that might come at another time.

I want to say that we in the Liberal Party will support this piece of legislation, Bill 187. I only want to say to you, as the member for Wentworth North and independently so, I am concerned at this point in time about the possibility of some deterioration of service to my constituents. Implicit in this discussion, I suppose, is the idea of cross-subsidization. That has been the long-standing prerequisite, I suppose, of any granting of licensing authorities to the Highway Transport Board prior to this legislation.

I can only say, and Mr. Speaker, as a resident of a rural area you would appreciate this, certain areas are not lucrative; certainly they are not areas that have been of great beneficial service—

Interjection.

Mr. Cunningham: I am sorry, the member for Middlesex (Mr. Eaton), the soprano, is here. I didn't recognize him; I didn't know what he was saying. If he would like to participate in the debate I would welcome him, because I too would appreciate his view.

Mr. Deputy Speaker: Would you continue to ignore the interjections and speak to the bill?

Mr. Cunningham: I will if you will rule him out of order.

Mr. S. Smith: He has been out of order since the day he was born.

Mr. Cunningham: That soprano is hard to recognize.

Mr. S. Smith: Where there are so many.

Mr. Deputy Speaker: The hon. member for Middlesex will be recognized.

Mr. Cunningham: I can only say that certain areas, especially as it relates to rural constituencies, require that concept of cross-subsidization, not only in the transportation of human beings, but in the concept of trans-

porting goods. That's been a principle that I think has been recognized by the province of Ontario for 35 or 45 years. It's very important; I don't think it matters what party you are in or how long you have been around, I think it is very important that we all recognize the importance of that very thesis, and that is that certain areas in our constituencies are not lucrative areas by way of transporting either goods or people. That is implicit in the granting of licences. It is so very important that we allow, by way of cross-subsidization, the more lucrative runs to subsidize the areas that are not so lucrative. That's so very important—at least, I think—to the members of the opposition, to their point of view.

I can only say to you that my fear as the member for Wentworth North is that through Bill 187—and I know it is just enabling legislation—I am concerned for the bus service that we have known through Canada Coach—and more recently I gather by way of Highway Transport Board decree, for other areas in the northern part of my constituency—that is the service that we have come to expect and which I think we pay for by way of our taxes, and we would expect that service to continue to be provided.

If this legislation does go into effect, it affords a licence to allow that transit authority to ignore the rural areas. I hope that is neither the intent nor the method which this legislation will be effected, because it would distract me greatly. In the matter of consumer analysis, put yourself in the view of the residents of Strabane or Carluke or one of the rural areas—maybe Carlisle, Ontario. I know the member for Middlesex would appreciate this, because he has so many areas that are, I think, directly analogous to this particular situation—you have Dartmouth and various areas like that—I know he would appreciate that.

Mr. Eaton: He is in my riding. Do you know where they are?

Mr. Cunningham: Well, you're there more often than I am.

Mr. Deputy Speaker: The hon. member for Middlesex will be recognized next if he wants to participate.

Mr. Cunningham: I wouldn't want you to throw him out, especially this particular member; he's so rarely here. But when he is we do hear him.

Mr. S. Smith: Keep him around for a while.

Mr. Cunningham: His voice is unmistakable in this House, sometimes not discernible, but unmistakable.

I can only say that we cannot forget the small rural communities in this province. And if this is the intent of this legislation, I would only say that I would oppose it. I don't think it is. I would prefer to give the credit to this particular ministry to recognize the importance of the rural commitment to the regional municipality of Hamilton-Wentworth. We can't afford a YMCA for the community of Strabane. We can't afford the community and social service aspect, as it relates to that particular region. It is very important that we provide adequate transit facilities for those people in that area. They pay a great deal of taxes; their taxes have gone up almost 100 per cent in the last three years. It's very important to me as their representative that a meaningful and adequate and a fair method of transportation be afforded them to the centre of the city of Hamilton, the second largest city in this province. That's very basic to me.

In many ways, they have digressed from—

Mr. Moffatt: You're digressing there.

Mr. Cunningham: No, no, I'm not digressing. The thesis of this bill has digressed by not suggesting that the whole region come within the purview of a regional transit bill. They are designating a certain area—it's unclear to me, and possibly the parliamentary assistant to the minister would afford me the ministry's view as to what specific areas they are recommending for control in this particular regard. As I see it there are parts of towns and villages that will be intersected and which will qualify for a subsidy—that basically, is what it's going to be, a subsidization of transit facilities—and there are other areas that do not. I can only say that I am very concerned about those areas that are not—and about the preoccupation of this government with having those areas that do not receive any service paying for the entire service of the area.

I'm sure as a representative of a rural area, Mr. Speaker, you will appreciate the concern on behalf of my constituents as to the efficacy of paying for a service that they are absolutely, totally unable to receive any benefit from. I find that whole thing in the context of increased taxation through regional government a very, very unfair situation.

I am very concerned about protecting the employees that heretofore have been employed by Canada Coach or by the Hamilton Street Railway or in some other manner by

a transportation system in this area that we haven't recognized—and there have been several. It's very basic to us in the Liberal Party that we recognize that situation and that we see we accord every employee some recognition of his service and that they are brought into line with existing transit organization agreements. I think that's only fair.

I would ask of the ministry that they consider changing "Ontario" to "Ontario Municipal Board." This might bring the legislation to a more appropriate stance. More specifically, I would ask that more consideration be given—possibly through committee—to the idea of cross-subsidization. That is very basic to the whole idea of transportation in this province. We've heard a great debate on the efficacy of the Greyhound-Gray Coach issue and I suppose that was analogous to this situation. We must have the more lucrative runs subsidizing the areas that are not as advantageous to live in as are the more urban areas of our province. Some 36 per cent of the people of Ontario live in areas that are not well populated and they require this kind of transportation facility. I would only think it fair that the government consider it so.

[8:30]

Mr. Deputy Speaker: Does any other member wish to participate on second reading? The hon. member for Hamilton Centre.

Mr. Davison: The current situation in the Hamilton-Wentworth region speaks to something of a recurring problem with the government and that's the lack of sensitivity to local positions and local situations. Regional government in Hamilton-Wentworth has been, since its inception, a contentious issue. The government was perfectly aware of the ramification of this bill that is now before us in the municipality of Hamilton-Wentworth. It was aware of the strenuous relationships at times between the councillors from Hamilton and the councillors from other areas of Hamilton-Wentworth. But the government didn't extend every effort to help the region to come up with a solution that wouldn't open old sores and wounds. There were long discussions and some bitter arguments in the regional council over this situation. The provincial government was aware of it.

On November 23 the regional council was finally able to hammer out a position unanimously after long and hard argument that was sent forward to the ministry, to Queen's Park. On December 7, the councillors showed up for their meeting and found that substantial changes had been made in their proposal.

Examples of the substantial changes I'm talking about are the sections of the bill that deal with who has the right to license in the municipality. They had thought that we should deal with the Hamilton-Wentworth region as one complete entity and allow one group to build an integrated transit system, and there's some merit to their argument. But the ministry wants to retain the right to license carriers and determine who the carriers will be—

Mr. Deputy Speaker: Will you keep your level of conversation down, please? It's difficult to hear the member who has the floor.

Mr. Davison: —in the entire region, with the exception of Hamilton itself and some parts of Ancaster, Dundas and Stoney Creek. Perhaps normally that wouldn't be too upsetting. That wouldn't be too frightening. But, given the problems that we see now in the Greyhound-Gray Coach dispute, it's the kind of thing that makes people very nervous. I think that some people see the possibility of a similar problem developing with the Ministry of Transportation and Communications having control over the transit system in part of the municipality. What that kind of insensitivity on the part of the various ministries involved does is pour salt on the wounds.

The other thing that didn't help greatly was that on December 7 at the council meeting it became clear to the councillors that they were basically confronted with a fait accompli. Sure, they could negotiate and they could suggest changes and, goodness knows, changes could be accepted by the government. But the hammer was that if you want to open it all up, if you want to make suggestions, if you want to have amendments brought, if you want changes to be made, okay, but you're not going to get the legislation by January 1. It's not going to be done during this sitting of the House. The councillors on December 7 were faced with the situation where they find out that the bill was not what they asked for; yet they have no recourse. It was made very clear to them in a very blunt, brutal fashion that there was no recourse; there was no way out. I don't think the interests of all the parties and of all the people are served when the government is so rigidly inflexible. I think we can accomplish a lot more with a certain degree of healthy co-operation instead of what amounts to government by decree.

My colleague from Wentworth earlier in the debate raised a very valid point and a very important point—that is, the way this

bill is drawn up without any mention of the employee. The bill falls terribly short of what it should be by that exclusion. The Municipality of Hamilton-Wentworth Act in chapter 74, 1973, section 27, which is a substantial section, a very long section, provides in some detail the kind of legislation that is needed to protect employees. I wish the government would take a look at that and give some very serious consideration to including a similar section or group of sections in this bill.

Perhaps we can go into that in some detail during the committee stage of the debate, and I look forward to continuing the argument that I've just outlined now at that time.

Mr. S. Smith: I'll just make a few brief remarks, Mr. Speaker.

[Applause.]

Mr. Moffatt: Few but noisy.

Mr. Speaker: Order, please. It's the hon. member's turn.

Mr. S. Smith: I have to wonder sometimes what the government really believes with regard to decentralization and with regard to the whole matter of local autonomy.

Mr. Hodgson: We wonder too about you.

Mr. S. Smith: For some strange reason the government has chosen to set up as the transit area under this bill a bounded area different from the region itself. It's hard to understand the reasoning behind this. If the region, after all, is suitable for tax collection, suitable for determining the way in which it's to do its planning, and suitable for setting up the incredible bureaucracy which has been foisted on the people of Hamilton and area, then it's hard to know why it is not suited, somehow or other, to making its own transportation decisions. It's difficult to know why it is that about half the region has to be left to the tender mercies of the Ministry of Transportation and Communications, whose wondrous abilities have recently surfaced with regard to the \$10-million giveaway of public assets to the Greyhound company.

Hon. Mr. Handleman: It is the same red herrings.

Mr. S. Smith: It is amazing. I cannot help but wonder why it is—

Interjections.

Mr. Speaker: Order, please. The hon. member for Hamilton West only.

Mr. S. Smith: If Greyhound were even a sellout I wouldn't mind as much as it being a giveaway.

Interjections.

Mr. Speaker: Order.

Mr. S. Smith: However, one has to wonder why it is that half the region, approximately, is being left to the additional tender and brilliant mercies of the Ontario Highway Transport Board. The reason seems to be that the ministry fails to trust the region to make intelligent decisions with regard to permitting certain inter-urban transportation facilities actually to be licensed properly by the region.

Mr. Hodgson: You are going to do away with the regions; that is what you told me.

Mr. S. Smith: The fear is that certain inter-urban routes will be jeopardized because they will not be permitted to stop within the region to discharge or to pick up passengers, because the region may wish not to license certain of these inter-urban facilities and services. My own feeling about this is that it demonstrates very clearly that the source of regional decentralization that exists in the mind of the Treasurer (Mr. McKeough) and of this particular government is basically, "We'll let you do a little for yourself but mostly we'll keep the purse-strings, the decision-making power, here at Queen's Park." For some reason this government seems to believe that all the brains in Ontario are located in Queen's Park; they seem to believe as well that the other areas of Ontario cannot be trusted to make reasonable and rational decisions.

The region, when faced with the alternative of having absolutely no passage of this bill or accepting the bill pretty much as read and then attempting to amend it in the spring session, has voted in favour of accepting this bill. Consequently, we will not stand in the way of passage of this bill.

Some hon. members: Oh, oh.

Mr. Cunningham: You are all Tories.

Mr. S. Smith: I want to allay the disappointment of the members opposite. I know they were hoping to divide the House and have a Christmas election on the Hamilton-Wentworth bill, but some of the best plans sometimes go astray. Even the desires of the members opposite occasionally must run afoul.

We will have to accept that the bill will undoubtedly pass. But I trust that the mem-

bers opposite are prepared to come to Hamilton-Wentworth and to explain to the people on whom they foisted this whole stupid regional concept in the first place, why they don't trust it enough to let them handle their own transportation.

How is it that the government will let them handle the ability to raise taxes so that the Treasurer can renege on the Edmonton commitment? How is it they will trust them sufficiently to create a second department of planning, a second department of engineering, a second department of personnel—duplication all the way down the line, practically to a second city hall—but they won't trust them to do their own transportation? Let the members opposite explain to the people in the other half of Ancaster and in the other half of Dundas why they are not really members of their region when those members think they shouldn't be. Let them explain to them why their Ministry of Transportation and Communications and their brilliant Ontario Highway Transport Board has to keep the reins with regard to transport and not allow the people of the region to have their own licensing ability?

Mr. Norton: What is the principle of the bill? Back to the principle.

Mr. S. Smith: I am not happy with that: we will, however, acquiesce to the region's demand, and the vote which was taken at the regional meeting, to have this bill pass so that at least something will be in place. But I want further discussion at the regional council. I want further discussion, with good representation from the smaller communities in the north and in the east of our region. I want to be sure that I am on record as saying that I decry this government's two-faced attitude with regard to regions—

Some hon. members: Oh, oh.

Mr. S. Smith: —whereupon they are prepared to foist regional government on them, but they are not prepared to trust people sufficiently to actually make their own transportation decisions.

Mr. Roy: You are getting there. You've got Frank beside you.

Mr. S. Smith: I hope that the public trust which has been put in this government will not be violated and that they will bring back a bill similar to this one, with appropriate amendments, in the spring session.

Mr. Nixon: You are the terrible Tories.

Mr. Reid: You are the terrible violators.

Mr. Speaker: Does any other hon. member wish to speak to this bill? The parliamentary assistant.

Mr. S. Smith: Here comes the Supreme Court.

Mr. Speaker: Order, please; order! The member for Scarborough Centre.

Mr. Nixon: This will be great.

Mr. Drea: Mr. Speaker, far be it from me—

Mr. Roy: That's enough, Frank. Sit down.

Mr. Nixon: "In closing . . ."

Mr. Drea: Far be it from me to try to penetrate the soniferous mental processes of the last speaker—

An hon. member: Did you hear that, Pat?

Mr. Moffatt: Did you hear that, Sid?

Interjections.

Mr. Speaker: Order, please. The hon. member for Scarborough Centre.

Mr. Drea: I would like to draw to the attention of the House that there are two particular applications and two particular sections in this bill, which are part of the principle of the bill, that absolutely protect the Canada Coach subsidiary of the Hamilton Street Railway from any intrusion upon its public vehicle routes, which were conferred upon it by the Highway Transport Board.

One would think that someone who is such an expert on transportation, particularly in the bus field, who said only on the Monday of the Gray Coach debate that he understood Canada Coach might be sold—

Mr. Roy: There you go defending Greyhound again.

Mr. Drea: —would have looked at the transportation implications, particularly on the over-the-road routes. Secondly, as far as being a regional carrier, Canada Coach or whatever wholly owned subsidiary of the Hamilton Street Railway chooses to go into the regional or the suburban operation, is absolutely protected, because it is a monopoly.

[8:45]

Mr. Nixon: What do you mean whatever? It's Canada Coach. Are you trying to wear them down?

Mr. Drea: It is a monopoly that can only be broken by the vote of the regional council within the regional area.

Mr. Roy: What did we do to deserve this?

Mr. S. Smith: Give it to Greyhound.

Mr. Drea: It is the absolute conferring of a monopoly throughout an entire region upon the existing carrier.

Mr. Nixon: It is the power that this Legislature gives them.

Mr. Drea: Why this appals the leader of the Liberal Party is beyond me, because it is identical to Bill 55 which established Metropolitan Toronto.

Mr. Roy: We don't deserve this.

Mr. Speaker: Order, please.

Mr. Drea: It is entirely consistent with government transportation policy going back 20 years—

Mr. Cunningham: There is an awful lot beyond you.

Mr. Drea: —to the establishment of the first region, Metropolitan Toronto. It is identical in concept to the extension—

Mr. Cunningham: On a point of order, Mr. Speaker. Hello.

Mr. Speaker: Does the hon. member have a point of order really?

Mr. Cunningham: Mr. Speaker, I want to draw to your attention that is not consistent with what has gone on in Ottawa-Carleton nor has it gone on in Metro region.

Mr. Speaker: Order, please. That is not a point of order. The hon. member is debating the issue.

Mr. Nixon: He probably doesn't want the member to mislead the House.

Interjections.

Mr. Speaker: Can we get on with the business of the House with a little more order, please? The hon. member for Scarborough Centre only.

Mr. S. Smith: He is leading the House amiss.

Mr. Conway: Shovel away.

Mr. Drea: It is entirely consistent with the transportation principles embodied in the original Metropolitan Toronto bill which did allow—

Mr. Cunningham: It is not.

Mr. Shore: Get back in your corner there.

Mr. Drea: —for the expansion of the existing municipal service, which was confined by and large to the city limits of Toronto and three suburban municipalities, to penetrate throughout the entire 13 municipalities as existed at that time. Without the concept of a regional government elsewhere at that time, it did set up a concept by which Gray Coach continued to be (a) a regional carrier and (b) maintained its over-the-road routes.

I find this entirely consistent with the transportation policies of the government. One would trust that the expansion of a regional service in the Wentworth area will prove beneficial in terms of the transportation of passengers—

Mr. Roy: You don't know what you are talking about.

Mr. Drea: —the alleviation of highway traffic congestion and an alternative to those who do not believe that the automobile is destined to be the sole means of transportation within a major urban area such as this.

Mr. Roy: Talk to the Premier (Mr. Davis) about that.

Mr. Speaker: Does any other hon. member wish to speak to this bill?

Mr. Nixon: Mr. Speaker, before the parliamentary assistant replies, I just want to echo the concerns expressed by my leader about the future of Canada Coach Lines because they serve an area much broader even than the Hamilton-Wentworth region. They get as far as Brantford even—

Mr. Breithaupt: Even.

Mr. Drea: And Buffalo.

Mr. Nixon: —and many other major communities in that part of the province. It would certainly be a disservice indeed to the community which I have the honour to represent, if I did not put before you, sir, the feelings that I have that, as a result of the present government policy, particularly relating to bus transportation that is owned or partly owned by a public transit authority, they are in some jeopardy. It would be a serious error indeed if this House were to move in a direction which would permit the Hamilton Street Railway authority in any way to interfere with the service that Canada Coach has provided for so many communities in southwestern Ontario.

Mr. Drea: They might want to sell it.

Mr. Nixon: I wanted to be sure, Mr. Speaker, that you are aware of my concerns, even though some of the back-bench members of the Conservative Party are interjecting with an indication that they're not concerned.

Mr. Drea: Don't knock us. You know it is going to happen.

Mr. Speaker: Order please.

Mr. Roy: Let the member for Scarborough Centre try to control himself.

Mr. Nixon: I would like to indicate to the minister who will be speaking soon that we're very much aware that government policy in support of these bus routes is something that might be best described, I suppose moderately, as inadequate and that we feel these communities are well served by the bus service of Canada Coach and we don't want anything to interfere with that.

Mr. Drea: You don't want better.

Mr. S. Smith: You don't care about the small towns, Frank.

Mr. Drea: You impeach the Supreme Court.

Mr. Speaker: Order, please, the parliamentary assistant only please. Order, order. The hon. parliamentary assistant.

Mr. Norton: I shall try to confine my remarks to responding to specific points that have been raised by the hon. members opposite during the course of the debate. In fact, I think I would perhaps be a little more fluent had the hon. member for Frontenac-Addington extended his generous hand to me and invited me to the caucus party that obviously the members opposite enjoyed this evening and I might have been able to rise to the occasion on the same basis as the hon. member for Hamilton West.

Mr. Breithaupt: We were not only there but we are here too.

Mr. Nixon: I understand you are not invited to many parties.

Mr. Norton: No, I am not, especially by the members opposite and especially by the hon. member for Frontenac-Addington. However, dealing first of all with the remarks by the hon. member for Hamilton West—

Mr. S. Smith: I can understand why you prefer our party to your party.

Mr. Speaker: Now, we are back at the bill. The hon. parliamentary assistant. A point of order.

Mr. McEwen: I would like to offer condolences to the member for Kingston and the Islands.

Mr. Eaton: He is going to make his first speech.

Mr. Speaker: Thank you. It's not really a point of order. The hon. parliamentary assistant.

Mr. Roy: In fact we are very gracious. We sent you a reject over there.

Mr. Norton: Any sign of a generous spirit from the hon. member for Frontenac-Addington is gratefully received by me.

An hon. member: It is called, no doubt, look out.

Mr. Norton: First of all, dealing with the comments of the hon. member for Hamilton West, he expressed concern particularly about what he interprets as the government's position with respect to local autonomy and allowing the local decision-making authority to, in this instance, participate fully in licensing operations within the boundaries of the regional municipality.

I would point out to him that in our discussions, which have been necessarily rather compressed in the last couple of weeks with the representatives of Hamilton-Wentworth, we discussed this. In view of their own experience with Canada Coach Lines in other regional municipalities where they were, by virtue of a decision of the regional municipality denied an opportunity to pick up or to let down passengers within the boundaries of those municipalities, they saw, I think, the reason for the concern that was expressed by the Ministry of Transportation and Communications.

A similar situation has arisen in Ottawa-Carleton where, prior to the general authority to license that was granted, there were effective transportation routes starting outside the regional boundaries and terminating within the regional boundaries. Because of a policy that was implemented on the licensing basis to restrict these lines from picking up or letting out passengers, some of them, in effect, have been forced out of operation. The result has been that people living just outside the regional boundaries simply do not have any effective means of transporta-

tion into the Ottawa-Carleton region in some instances. Now recognizing that certainly there is a—

Interjection.

Mr. Norton: I was using Ottawa-Carleton as an example of a problem that could result.

Mr. Nixon: When are you going to improve transportation down there?

Mr. Norton: Bearing those kinds of problems in mind and recognizing that the province clearly does have a responsibility with respect to intercity transportation, one that it cannot ignore, if the Ministry of Transportation and Communications requested that in those areas outside the urban transit service area as defined in the legislation, they would retain some input at the discretion of the minister to avoid the kind of problem that had developed in some other situations.

Now, the hon. member from Hamilton Centre expressed similar concerns about licensing and the continuing involvement to a limited extent by the Ministry of Transportation and Communications. I am not sure whether it is clear. I don't have a map but, if I can just explain that, there are three areas defined within the legislation.

First of all there is the urban transit area which is defined according to the boundaries of the city of Hamilton. At least part of the reason for that was to guarantee the city of Hamilton that it would not suffer as a result of the decision that has been made to transfer its interest in the Hamilton Street Railway and Canada Coach to the regional government.

The other area that is defined is the urban transit service area which extends beyond the boundaries of the city and includes those areas outside the city that are presently serviced by the transit system. It's only outside that area where there is any input from MTC under any circumstances. Within the urban transit service area, the municipality has the total authority with respect to licensing and the provision of transit. Even outside the urban transit service area, where the routes may begin and end within a single or area municipality, the region would have complete and total jurisdiction. It's principally in cases of through transit that the MTC would retain an interest in terms of there being some ministerial discretion involved.

This is there in order to protect the integrity of intercity transit. I'm sure the member for Hamilton Centre would not deny that there is a provincial interest in maintaining effective

intercity transit and that it should not be subjected to the kinds of things perhaps that Canada Coach has experienced in its own operations in other municipalities.

The suggestion by the hon. member that the government was in any way imposing or being heavy-handed in this situation, I hope was based at least upon ignorance, if not an excessive measure of unfairness under the circumstances. We became aware a little over two weeks ago that finally after two and a half to three years' negotiation an agreement had been arrived at by the municipalities within the Hamilton-Wentworth region. To say that we have in any way delayed or made this situation more difficult, I think is very unfair, because the staff in our ministry have literally been working weekends trying to make the necessary preparations in order that this legislation could be before the House before the end of this session. On top of that, we have had staff taken away from their regular duties. We have spent full days in meetings with representatives from the region, trying to hammer out details.

Ultimately, that led to a meeting last Saturday in the region where, at a vote of 15 to three, the members of the regional council who were present supported the legislation as presently drafted and before the House. In fact, we are advised that those three who were opposed to it were the only three and had the full council been present the vote would still have been only three in opposition. It would have been desirable that it be unanimous, but given the circumstances and the long period of time over which negotiations took place, perhaps that was almost too much to hope for.

We have tried in every respect to accommodate the interests of the area municipalities and to protect those interests, and I think we have done it effectively in this legislation. We have tried to protect the interests of the city of Hamilton particularly where they have had an asset which they are transferring to the regional municipality and to protect the provincial interest, that is, the people of the province in terms of maintaining a reasonable level of intercity transit.

Under all of the circumstances, I think the legislation we have before us meets those needs as well as any legislation could. I suppose there is one other area I would like to touch upon very briefly and perhaps expand upon, that is, the protection of the smaller municipalities or the rural municipalities as has been raised by two or three of the speakers opposite.

[9:00]

Under the present legislation, in order for service to be expanded into the various municipalities beyond the present level of service, an agreement will be required between the regional municipality and the area municipality. Such agreement will arise at the instance of the area municipality and will include the details of the financing of such service. Disagreement on details of financing is subject to appeal for a determination by the Ontario Municipal Board.

One change that was suggested by us and has been accepted by the region was, where there was a request for additional service, the regional municipality was required to make every effort to provide it. The language of the Act was changed to make that mandatory.

I know of nothing else we can do to increase the protection of the area municipality. They have financial protection, they have protection of a level of service they may require or desire or request.

The suggestion of the hon. member for Wentworth North with respect to employee protection I think is something that clearly we anticipated—not his suggestion, but we anticipated that that would happen in any event. We have no problem in introducing an amendment that should meet his requirements or his concerns and the concerns of the employees. I would propose to do that in committee along with some other drafting amendments that we propose to introduce at that time.

Motion agreed to.

Ordered for committee of the whole House.

WINE CONTENT ACT

Hon. Mr. Handleman moved second reading of Bill 135, An Act to provide for the limited inclusion of Grapes grown outside Ontario in Ontario Wine.

Mr. Speaker: The hon. member for Durham East.

Mr. Conway: The little old wine-maker.

Mr. Moffatt: Mr. Speaker, I am going to be very brief.

[Applause.]

Mr. Moffatt: That's the most concerted applause the Liberal Party has ever given me, and I appreciate it.

Mr. Nixon: It's the best speech you ever made.

Mr. Breithaupt: And the best reason to applaud.

Mr. Moffatt: It's not often the Liberal Party agrees on anything.

This particular bill, as proposed by the minister, has a number of areas where we feel it is sadly deficient. It proposes that experimentation will not be carried on in a limited fashion but rather on an across-the-industry basis; it in fact has grave ramifications for people involved in the growing of wine grapes in the province of Ontario; it takes no account of some of the representations that have been made to the minister and to various people within the ministry—

Hon. Mr. Welch: That is not true; the minister has responded very well.

Mr. Moffatt: This particular bill—

Interjections.

Mr. Speaker: Order, please. The hon. member has the floor.

Mr. Moffatt: This particular bill, if it is put forward in its present fashion and is allowed to stand, would, we feel, lead to a disservice for people who are involved in an extended fashion in the growing of grapes for wine. It may indeed pose some difficulties for some of the domestic wineries in the province of Ontario. This party intends to vote against Bill 135 on second reading.

Mr. Hall: Mr. Speaker, I look forward to discussing this bill, because unlike the member for Durham East, I come from grape-growing country.

Hon. Mr. Welch: A great riding known as Lincoln.

Mr. Kerrio: I'll drink to that.

Mr. Hall: It is an interesting point, because we are concerned with the preservation of agricultural lands and I have to tell you that the unique lands that we possess are in large measure growing grapes.

Despite the promotion of the wine industry, and the Ontario Grape Growers' Marketing Board the production of grapes in Ontario is in excess of current usage, both for the manufacturer of grape juice and the manufacturer of wines in Ontario. Despite the fact that vinifera and hybrid vines have come into play in large measure in the peninsula in recent years, I have certain statistics which are rather discouraging to the people who grow the vines, irrespective

of the feelings of the member for Durham East.

Hon. Mr. Welch: As a consumer.

Interjections.

Mr. Hall: In the calendar year between 1974 and 1975, the sales by gallon of wines made in Ontario went down 188,262 gallons. At the same time imported wines went up some 645,921 gallons.

Hon. Mr. Timbrell: The Liberal Party made it all up tonight.

Mr. Hall: Part of the problem in connection with this, is that the wines which are imported into Canada are in large measure subsidized by the government of the country of origin to obtain Canadian dollars. Our wine industry stands on its own two feet. It negotiates with the marketing board for the wines on an annual basis. It has nine categories of price and it also, like any free enterprise business in Canada, pays its property taxes and its corporation taxes when it does make a profit.

I have a long association with the grape-growing industry in this Peninsula, partly through my father-in-law who 22 years ago was involved in the Ontario Grape Growers' Co-operative and was concerned about the manufacture of grape juice through what is known as Welch's in St. Catharines.

Not many people know that the government House leader is a multi-millionaire.

Hon. Mr. Welch: Including the House leader himself.

Mr. Conway: How about the member for St. Catharines (Mr. Johnston)?

Mr. Hall: However, the information that has been given to me is that the Ontario Wine Council and the Ontario Grape Growers' Marketing Board have met with the Ontario Ministry of Agriculture and Food and discussed a programme which will assist in the improvement of the wine industry.

It includes certain things which have already happened; the reduction of the mark-up charged by the LCBO; the broadening of attitude with regard to outlets for wine sales; the concept of a wine standard being developed between the industry and the growers and this wine blending bill.

Mr. Eaton: Don't forget the programme for the vining too.

Mr. Hall: The vine conversion programme has not worked out too well, if I could

respond to the member for London Middlesex, because the wineries themselves are concerned about what varieties to plant, trying to guess what the taste of the consumer is. I have to tell you in the straightest terms that as a long-term resident of Grimsby and an occasional consumer of our native product—

Mr. Conway: No!

An hon. member: I don't believe it.

Mr. Hall: I'll ignore that.

Mr. Nixon: That's a fact.

Mr. B. Newman: Yes, it is the best.

Mr. Hall: I have to say that for some time I've consumed Ontario wines in moderation and—

Mr. Nixon: That's all.

Mr. Hall: —and I think that those of us who haven't tried them really are—

Mr. Nixon: Shouldn't knock them.

Mr. Hall: —very short-sighted. While I'm on the subject I must point out that—

Interjections.

Mr. Hall: I have to point out that when I came here in the fall of 1957, the wine list for our own legislative dining room had several foreign varieties listed by brand.

Mr. Nixon: That's right.

Mr. Samis: Shame.

Hon. Mr. Handleman: Shame.

Mr. Hall: The guiding fathers of this establishment had Canadian wines listed as domestic red and white.

Mr. Nixon: The member for Lincoln changed all that.

Interjections.

Mr. Hall: I must continue to say that after some co-operative dialogue with the previous member for Lincoln, the Minister of Culture and Recreation, and some persistence, one will now find that Ontario wines are recognized in the dining room of the legislative assembly by brand name.

Mr. Kerrio: Next move to the feds.

Interjections.

Mr. Hall: This is a very small point in terms of wine consumption, I'm sure, but

nevertheless to the wineries who are trying to make their mark and trying to buy Canadian, the responses that I've had have been most complimentary. They really appreciate having a prestige listing of Ontario wines in our own legislative dining room.

This is all part and parcel of an effort that the ministry is trying to make, the wine council is trying to make, and the Ontario Grape Growers' Marketing Board is trying to make.

Mr. Nixon: And the Minister of Revenue (Mr. Meen) is interested in it as well.

Mr. Roy: And we as consumers are contributing as well.

Hon. Mr. Handleman: Exactly. That's for sure.

An hon. member: How about bootlegging?

Mr. Hall: There are several interruptions here but I'm sticking to my point.

Mr. Nixon: You're doing a great job.

Mr. Hall: We're trying to introduce wine-blending because it is a fact that the soils where a certain wine grape is grown, such as a Marechal Foch grown in the Niagara Peninsula, give it a different taste from the same wine grape grown in France. The reason is only because of the soil conditions themselves. The concept that has been suggested by the industry, and I must say all segments of the industry, is that amelioration will be produced by certain blending in a limited quantity.

The Liberal caucus has discussed this and we support the bill subject to two changes. First of all, relative to the explanatory notes, the bill deserves a little attention in that it should be modified to say that in the first paragraph the last sentence should be deleted. It should be changed to read that the authorization to manufacture the wine expires on December 31, 1981.

Mr. Nixon: Did the government get it wrong?

Mr. Breithaupt: Again?

Mr. Nixon: Again.

Mr. Speaker: Perhaps the hon. member's suggestion might await the proper inclusion at the appropriate time.

Mr. Hall: Is it in order for me to make another amendment then?

Mr. Speaker: Not at this point, no. The explanatory notes are not part of the bill, but if it goes into committee of the whole—

Mr. Roy: He could make fleeting mention of what he has in mind, though.

Mr. Speaker: —then the hon. member may move an amendment.

Mr. Hall: I will just wander around a little bit, and hope I touch on the points involved, because I am concerned about a couple of things.

Mr. Speaker: Just on the principle of the bill.

[9:15]

Mr. Kerrio: Oh, we're going to wander around on the principle of the bill.

Mr. Hall: Most clearly the principle of the bill and the regulations which will be the subject of further discussion by the Ontario Grape Growers' Marketing Board and the Wine Council and the government have to concern themselves with the percentage of blending allowed. I don't want to delve into all the regulations tonight; but there is one item that has to be clearly stated, and it is the principle of the bill: That is that the purpose is to permit the introduction of grapes grown outside of Ontario and imported wine into wine manufactured in Ontario without reducing the content of Ontario grapes in the wine so manufactured.

This, to a certain extent, may be redundant considering the regulations that are proposed; but for the purposes of understanding of the many growers, small and large, in the Niagara Peninsula, I think that it is very important that it be understood that with regard to the importation of grapes and/or wine, that the Ontario grape content of said wine will not be reduced. This is the point that I wish to make when we go into clause by clause consideration.

The programme, as has been noted, is a five-year programme. The information I have is that it's desirable that it be reviewed—by the growers on the one hand and the wine manufacturers on the other—on an annual basis. Then the percentages of blending, which are to a certain extent a judgement call at this point, and the availability of the actual grapes to produce wine, which may vary from year to year, will have an occasion to be measured. It happens that we have had two highly productive years of grapes; but this might not necessarily be the case, and production management in grapes is not an available facility for us all.

So as one speaker on the bill, I have to compliment the government for co-operating and working with the Wine Council and the Ontario Grape Growers' Marketing Board to produce legislation, which in the opinion of all will assist the wine-growing industry and the grape-growing industry and the aspect of land preservation in the Niagara Peninsula. At the same time, we will be pursuing an amendment to the Act which will make it patently clear to the grower that whether the market buys more or less wine as a result of this legislation, the Canadian content will not suffer in any way whatsoever.

We really should give our Ontario wines a better chance. This industry and the Grape Growers' Marketing Board and the government, through its vine conversion programme and its reduction of price, its attempt to establish wine standards, are all taking meaningful steps to strengthen the grape and wine industry in Ontario. I think this bill is a forward step and it is a part of an ongoing effort, and a co-operative effort by everyone involved, to sustain and enhance an industry against very difficult competition from foreign countries that we have no control over in terms of content and in terms of price.

So I compliment the minister for bringing this bill forward. And I am satisfied, after having checked with both aspects of the industry, that it's a bill that they wish to have passed into legislation. Thank you.

Hon. Mr. Welch: For many reasons which I hope will become obvious I am anxious to speak to the support of second reading of Bill 135. The principle of the bill, of course, calls for—I was going to say for the first time, although there was one exception made with respect to legislation two or three years ago—the blending of imported grapes in wine with respect to the Ontario product. I think there are some things that should be put on the record.

I want to associate myself with the supportive comments of the member for Lincoln, a riding which I had the privilege of representing for a number of years. Indeed, recognizing the fact which I hope the House will recognize that when one thinks in terms of grape-growing in the whole Dominion of Canada, I suppose it's fair to say that 70 to 75 per cent of all the grapes grown in Canada are grown in the Peninsula. The economic viability of this industry is tremendously important to hundreds of families in the Peninsula, many of which reside in the great—although new—riding of Brock and, indeed, other ridings which, of course, make up the Peninsula.

I think the important thing to recognize, if I may put it on the record this way, is that they are talking about blending, which is not an unusual or a unique situation with respect to quality wine. I am advised that blending is in fact a fairly widely practised art with respect to quality control and fairly essential in the evolution of quality wines.

I also point out that I would not be associated with this bill in any way if it did not have the unanimous support of both the producer and the processor. Indeed, the Ontario Grape Growers' Marketing Board are on record—and I think it should be clearly understood here—that the producers in the riding of Brock, the producers in the Peninsula, are supporters of this particular legislation. The processors indeed associate themselves in a fairly enthusiastic way with it as well.

I think that this is worthy of note. The member for Lincoln and others will understand that over a period of years there have been many efforts to bring together the producer and the processor in the interests of the industry to develop some type of wine standards which in fact would enable us to carry on the development of this industry.

I think too one of the reasons—it has to be said quite frankly—is that we have been in an area where there have been significant surpluses in the production of grapes. I am somewhat disturbed—although I understand in the process people have their own reasons—but if in fact we are serious, and I speak to the official opposition of this House, about the preservation of food lands and agricultural lands, surely there has to be with it the assumption that there is some economic viability with respect to agricultural production.

We have to be sure that those who are engaged in this activity can make a living from the land and that is determined by the market place in this particular commodity and it's the ability to compete for the interest and the support of the consumer. My colleague, the member for Lincoln, has pointed out, as others in the House could well point out as one reviews the consumer demand with respect to this particular beverage, the fact that there have been some inroads made with respect to the imported product in this jurisdiction.

I think it's important also to note in this whole area of the formula, which has been agreed upon with respect to blending—and I'm sure the minister would share this with the House when the regulations are being discussed, because the Ministry of Agriculture

and Food has played a very significant role in the development of the dialogue between the producer and the processor here in the ultimate development of an acceptable formula—that the one very significant result is that more Ontario grapes will be purchased by the processors.

It's much a part—in fact, a condition—of the whole blending procedure, as I understand it, that less wine can be made from a ton Ontario grapes; therefore, the Ontario processor will have to buy more Ontario grapes. Indeed, by the reduction in the amount of wine that can be made from a ton of grapes—from 250 gallons to 200 gallons—there's that much less water and that much less sugar, which is also a contributory factor, along with the blending of the foreign materials in the attempts to improve the quality of the product.

Mr. Nixon: They have been adding water all these years, haven't they?

Hon. Mr. Welch: I think that is a very important part of the formula, along with other conditions with respect to limitations on the amount of imported materials that can be used in the blending operation; in fact, the Ontario producer will sell more of his grapes. I would think the interest of the consumer, the whole question of the attraction of the consumer to certain products, obviously has to be a very important consideration in the marketplace, and I say once again how particularly pleased I am that the producers and the processors have been able to arrive at some understanding and some agreement.

I think one should also point out, as one speaks to the principle of this bill which deals with blending in an attempt to develop a quality wine that would continue to take part in the marketplace and attract consumer interest, that this legislation is for a term definite. In other words, it's not an unconditional piece of legislation; it is quite clearly understood that it expires at the end of a certain period of time. That's in the legislation itself, and I think that's fairly important.

Mr. Renwick: Don't you think it is irreversible?

Hon. Mr. Welch: Any change in that legislation would have to be brought to the floor of the Legislature, and the Legislature would have control of that situation with respect to the term.

I point that out because, as a member for the area—

Mr. Nixon: The only one.

Hon. Mr. Welch: —it's a very depressing experience, when one thinks of the investment that people have with respect to their lands, with respect to the labour costs at the time of pruning, preparation, spraying and all of the pre-harvesting expense that's involved, to see literally hundreds of tons of grapes on vines in the area which I represent and to know they are without a market. It's against this background that the growers, whom I have the privilege to represent, through their marketing board have made it clear to my colleague, the minister who is responsible for this legislation, that they are supportive of this attempt to increase the demand of the consumer for their grapes and indeed anything which, of course, is to be part of the improvement of the quality of the product which the processor makes.

I think too—and I wouldn't want to prolong the debate, because others obviously want to associate themselves with this legislation in a positive way—

Mr. Conway: Is the member for St. Catharines labouring in the vineyard?

Hon. Mr. Welch: I think it is very important, when one recognizes the whole world situation with respect to wine. If we're very serious about the whole concept and question of cultural nationalism—and I'm one who is—certainly with our wine, representative of the soil and the climate of a particular area, we have something which is uniquely identifiable as our own.

Mr. Nixon: Right.

Hon. Mr. Welch: I think that is something quite important and something we shouldn't apologize for.

Interjections.

Hon. Mr. Welch: I would also like to point out—it's unfortunate Hansard can't record all that's said in this particular Legislature or indicated—

Mr. Nixon: What has been said that has not been recorded?

[9:30]

Hon. Mr. Welch: —but I think it is essential to recognize that in this particular product many of our wineries have in fact enjoyed positions of prestige in various competitions. I think there's a certain snobbery that attaches itself to this question, that people sort of think it has to be imported to be good, and that it has to have a high-sounding name in order to be impressive.

I think, too, and if I can be fairly up-front and blunt, when one thinks in terms of the many and fine eating places in this province, one also recognizes that one's extra income is related to what's called the gratuity—

Mr. Peterson: We don't take them in this party.

Hon. Mr. Welch: —and the gratuity has some association with the ultimate price of the product, because the more expensive the bottle, the more generous the tip.

Mr. Conway: Only on a cabinet minister's salary.

Hon. Mr. Welch: What we find many people in these places doing is pushing the higher-priced commodity.

Mr. Renwick: Who sets the prices?

Mr. Nixon: Bright's President is \$8 a bottle; 80 cents minimum tip.

Mr. Speaker: Order, please. The hon. minister only has the floor.

Hon. Mr. Welch: I thought I was really sharing some very significant information with members of the House. I am surprised at the reaction.

Mr. Nixon: Well, we are stimulated.

Hon. Mr. Welch: I think in terms of the local product being representative of our particular area—as the member for Lincoln said with respect to our climate and our soil—it's something that it is particularly important we support. Indeed, inasmuch as we have the position of the producer and of the processor unanimously in support of this legislation, we should do all we can to encourage the passage of this bill and the regulations which will follow.

To sum up, one reason that I support the bill is that both the producer and the processor certainly see this as a fairly important development with respect to their continuing ability to compete in the marketplace. It's for a term definite, which will give us an opportunity to review the impact of this particular process of blending. I say this to my friends opposite: If we are serious about the preservation of agricultural land in the Peninsula—and when one thinks in terms of the very large percentage of that land which is in grape growing and grape production—it is absolutely essential that we ensure the grape growers of the Niagara Peninsula can really make a living from the land. Those who will determine that, of course, are the consumers

who ultimately make their decision with respect to the processed product—in this case, wine.

Mr. Nixon: Without Gene Whelan, they wouldn't have done very well this fall.

Hon. Mr. Welch: Let me say, Gene Whelan did come to the rescue of the grape growers—

Mr. Nixon: Right.

Mr. B. Newman: He always comes to the rescue.

Hon. Mr. Welch: —after the year before. This government was indeed influenced to do something about this—

Mr. Nixon: Yes, that was election year.

Hon. Mr. Welch: —and this year did something about it as well by making it possible for the Grape Growers Marketing Board to increase its inventory of local concentrate for purposes of the development of an Ontario brandy industry.

Mr. Nixon: Heaven help the grape growers if you ever get a majority again.

Hon. Mr. Welch: However, I am sure that others would like to take part in this debate.

Mr. Peterson: No, we are enjoying you, Bob. Keep going.

Hon. Mr. Welch: I would just urge my friends opposite to reconsider their position and to make this the unanimous decision of the House.

Mr. Deans: Mr. Speaker, I am bitterly disappointed in the comments of the Minister of Culture and Recreation. I never thought I would see the day when he would be sucked in by the claims of certain people in the province of Ontario. I have got to tell the members that I never thought I would see the day in this House when he would stand up and talk about the wine industry in the way that he has and completely ignore what they themselves have said. I read to you from, not the wine industry, the grape growers to begin with; the wine industry we will deal with in a moment.

Hon. Mr. Welch: That's my main interest. My main interest is the grape growers.

Mr. Deans: That's my main interest and I wish that were the main interest of the minister's colleagues.

Mr. Renwick: And the bill.

Mr. Deans: I thought the minister and I shared their concerns but I wondered as I listened to him speak tonight. Let me read to the House from the Grape Grower of October 1976, under the heading "Board Comment": "Our wines find favour with world experts. Are we telling the consumers about it? Ontario wineries have demonstrated their capacity to produce a complete range of wines to satisfy virtually all public demands and taste preferences."

If the grape growers are saying that from knowledge they have gained from discussions they have had with the experts in the field around the world, then what it is that we are producing now must surely be a saleable commodity. If the wine experts of the world are saying the wineries of Ontario, given the conditions they work under at present are capable of producing a wine that meets virtually every taste of all of the consumers in this area, then why are we now running the grave risks that this bill brings about? Why are we now taking the chances that this bill requires us to take? Why are we now entering into an irreversible process that will ultimately mean the destruction of the grape production industry of this province at this time in the province of Ontario?

Interjections.

Mr. Deans: I've listened to the minister and I'm quoting from the people who are most concerned.

Hon. Mr. Welch: That's not what they say at all. You haven't been reading what they said.

Mr. Speaker: Order, please. The hon. member for Wentworth has the floor.

Mr. Deans: Let me go on. I want to give you the benefit of what has been written by the people the minister pretends to be representing. The Grape Grower says: "European wine-tasters now assure us that Ontario wines are perfectly acceptable—"

Mr. Kerrio: Why don't they buy them, then?

Mr. Deans: "—and this is a distinct compliment for Ontario-grown wines and also well-earned recognition of the calibre of our product."

Mr. Makarchuk: That's in addition to all the guys who sit in the House.

Mr. Kerrio: Sell them one case.

Mr. Deans: If the minister wants to tell me that the Ontario Grape Grower, volume 9, number 4, October, 1976, published by the Ontario Grape Growers' Marketing Board in St. Catharines, is misrepresenting the facts, then let him stand up and say so.

Hon. Mr. Welch: Mr. Speaker, on a point of order.

Mr. Speaker: What is your point of order?

Hon. Mr. Welch: I think it's important to get the record straight. No one is disputing what the hon. member is in fact reading from the newsletter. What we don't particularly associate with the newsletter is his own personal comment and his editorializing.

Mr. Renwick: That's not a point of order. You can't speak twice.

Mr. Nixon: What are you standing up for then?

Mr. Speaker: Order, please. The hon. member is presenting his viewpoint and illustrating it.

Mr. Renwick: The government House leader should know better.

Mr. Speaker: I think fewer interjections would lend a lot more to the calibre of this debate. The hon. member for Wentworth.

Mr. Nixon: He is trying to put new wine into old bottles.

Mr. Speaker: The hon. member for Wentworth only.

Mr. Deans: Thank you, Mr. Speaker. I appreciate you protecting me from the misinformation that the government House leader attempted to place before the House.

Hon. Mr. Welch: Withdraw.

Mr. Speaker: It's an interpretation here.

Mr. Conway: Strut along.

Mr. Speaker: Order, please. The hon. member for Wentworth.

Mr. Deans: They go on to say the following: "All sides of our industry must share in the responsibility to promote and communicate, whether they are self-employed grape growers or involved in any level of operations with Ontario's 10 wineries. Competition for wine sales is particularly strong in this province. Most sales are processed through the LCBO outlets which are now to provide a fairer amount of display space for Ontario

wine. Even so, the plurality of LCBO listings or sales opportunities continue to favour foreign product by a margin of two to one."

That's where we begin and I think that's where the government is beginning. But I don't think it begins by dismantling the guts of the wine industry and the guts of the grape-growing industry in the province of Ontario in an effort to try to find something that is not necessarily better but something that someone says he likes the taste of. If the government is trying to produce a product that is the same as another product, there is nothing in history that would record that that will necessarily be more saleable than the original. That's what it is trying to do.

Hon. Mr. Handleman: No, we are not trying to do that at all.

Mr. Deans: What we're talking about here is a wine industry that for years has failed to advertise the product that it sold, has failed to address itself to the production of quality table wine, and was satisfied to provide low-quality wines. Now, because there is competition—which, incidentally, I would have expected the minister to be in favour of—for the product, and they are being required to upgrade, to advertise and to spend some of the money they made over the years on the sale of inferior wines, we find ourselves faced with the request that they be allowed to blend.

Hon. Mr. Handleman: They are not inferior.

Mr. Deans: I say that this blending process is, in fact, irreversible.

Hon. Mr. Welch: It is optional—and reversible.

Hon. Mr. Handleman: It is only irreversible if it succeeds and it will succeed.

Mr. Deans: It is not optional to this extent, that no winery can afford to take the chance—no matter how remote that chance may be—no winery can afford to take the chance of not entering into the use of imported products for fear that in the long run it may prove to be to someone else's benefit. That's the difficulty we're faced with.

Hon. Mr. Handleman: They go in and out of it every two months.

Mr. Deans: Not only that, but at this point in time the winery that uses the largest single number of Ontario-grown grapes doesn't even

fit within the definitions as set out in the Act; so they would be unable to use the Act—

Hon. Mr. Handleman: Are you looking for a donation?

Mr. Deans: I'm telling you the truth, and you know it to be the truth. You can say what you like, and if you are inferring that I'm saying this because I think I'll get a political donation, I urge you to rise on your feet and say so. If that's what you're pretending, if that's what you're whispering under your breath, I suggest to the Speaker that that's quite out of order.

Interjections.

Mr. Kerrio: Mr. Speaker, who is he talking to?

Mr. Speaker: Order, please. I think if the hon. member would speak to the Chair, it might be more peaceful.

Mr. Deans: Yes, thank you, Mr. Speaker. I am glad you asked me to do that; in fact, you would appreciate this, because you enjoy wine. The winery that uses the single largest tonnage of Ontario-grown grapes is to be excluded from the use of this Act.

Hon. Mr. Handleman: Absolutely not.

Mr. Deans: Absolutely.

Hon. Mr. Handleman: Absolutely not. Speak to the president.

Mr. Deans: This Act doesn't even allow them to take part.

Hon. Mr. Handleman: Speak to the president.

Mr. Deans: Then the minister doesn't understand his own Act if he thinks it does. I've spoken to Joe Peller and I know.

Hon. Mr. Handleman: I was talking to him today.

Mr. Kerrio: I talked to him on Sunday.

Mr. Deans: So did I. I think what we have to be considering is whether we are able to hold our current market share and to test in the marketplace whether, in fact, blended wines would be more saleable. We shouldn't impose this particular Act on the entire industry—

Hon. Mr. Welch: It's optional.

Mr. Deans: It is not optional.

Hon. Mr. Welch: We are not imposing anything.

Mr. Deans: It is optional for no one, because once it comes in, each winery by definition would have to become part of it.

Hon. Mr. Welch: It's optional!

Mr. Speaker: Order, please. The hon. member for Wentworth will speak to the bill through the Chair, please.

Hon. Mr. Welch: In fact, to the principle of the bill.

Mr. Speaker: Order, please. The government House leader will refrain from making interjections.

Mr. Kerrio: He is being provocative.

Mr. Deans: I would have thought that the proper approach to determining whether the blending of wines would provide a more saleable product would have been to have allowed the various wineries—the 10 wineries or those who chose to take advantage of it—the option of putting on the market one or two product lines blended to whatever specifications we determined were suitable, and then attempted to find out whether those, if advertised in the same way as the current wines are advertised, would sell more readily than the wines that are currently produced.

What I am going to suggest is this: If they used the same level of advertising that they use for most of the wines they produce today, I doubt very much whether those wines, blended or otherwise, would make any impact at all on the wine drinkers of the province of Ontario. I think that's where the difficulty lies. What I see happening over the next five to 10 years is a continuous erosion. We'll find the wineries saying, "What you have allowed us now is not really enough. What we really need is just a little more to blend, because we think we've almost got it done." And, little by little, we are going to erode the farm community of the province of Ontario and we are going to reduce the marketability of the grapes we grow.

[9:45]

Hon. Mr. Welch: That would be disastrous.

Hon. Mr. Handleman: That's what happened in France, Portugal, Spain, and everywhere you buy it.

Mr. Deans: That's what the outcome of this bill will be if I can ignore the interjections of my friends, we have a great difficulty

in believing that this bill will be beneficial to the farmers of the province of Ontario.

Hon. Mr. Welch: I wouldn't support it if I didn't believe in it.

Mr. Deans: You may believe in it if you like, but you've believed in other things that were wrong. I've seen you stand up and vote for them.

Mr. Speaker: Order, please. The hon. member for Wentworth only, and to the Chair.

Mr. Conway: Shove along.

Mr. Deans: Let me tell you, and I know that the member for Brock will agree with me on this, even now in the province of Ontario, the Inniskillen Winery produces wine of a sufficient quality to sell reasonably well in competitive situations with most any other wine. It is produced in Ontario of Ontario grapes.

Hon. Mr. Welch: And they could continue to do that.

Mr. Deans: If they can do that in Brock, there is no reason at all why the other wineries across southern Ontario cannot do likewise. If they can produce a product that meets the tastes of the wine drinkers of the province of Ontario, among which I'm really not one, if they can find a sufficient blend of Ontario-grown product to enable them to put into the marketplace something that is saleable in competition with the wines that are brought in from outside, then I say that that can be done by the others.

If you were saying to me, as you did two years ago or more, that what we're doing is a short-term deal—

Mr. Nixon: That's when you supported the government.

Mr. Deans: —to be phased out as we produce grapes in the province of Ontario that will be suitable for blending purposes with the already grown grapes to ensure that the quality of the wine that will be produced will be that similar to that being produced by that winery in Brock in the riding of the House leader for the government, then I would say we would give some serious consideration to approving that.

But what you're saying to me is that you're going to allow them to begin this process of bringing in wine at this point in small quantities. In five years' time I predict it will be in larger quantities to the extent that there will be a lesser and lesser amount of Ontario-grown product in the finished wine.

Hon. Mr. Welch: That would be unfortunate.

Mr. Deans: It would not only be unfortunate but it would be unfortunate in retrospect if we did it and discovered that that in fact was what would happen.

Mr. Reid: Meanwhile we should destroy it all.

Mr. Deans: It is predictable that that will happen.

Mr. Nixon: You voted for it in 1971.

Mr. Speaker: Order, please. The hon. member for Wentworth only, speaking through the Chair, if he would please.

Mr. Deans: I am, sir—

Mr. Kerrio: He's a free enterpriser, now.

Mr. Deans: —I want you to know that I don't have to be looking at you to speak to you.

Mr. Conway: That you should be so lucky, Mr. Speaker.

Mr. Reid: The Speaker should assemble some of the product tonight.

Mr. Deans: Why did you allow the Liberals to have a party tonight?

(The question that faces me is where do we have to place the protection? We're in a situation at the moment where the wineries are not faced with imminent disaster. We're in a situation where the largest single user of Ontario-grown product is doing very well, thank you very much, and the others can do likewise if they wanted to apply themselves. A winery in Ontario, one of the 10, is producing a table wine from Ontario-grown product that matches anything else that is produced in the same line.

Hon. Mr. Handleman: In what quantity?

Mr. Deans: The quantity is simply the result of us having not been more vigorous in our attempts to grow the hybrid grape. Had you been more vigorous, had you established some reasonable standards for advertising—

Mr. Reid: And nobody would be in business today.

Mr. Deans: —had you insisted that the LCBO give at least the same degree of preference to Ontario product that they have given over the years to imported products and had you insisted that we in Ontario

speak as highly of the wine product of the province of Ontario as many do of the imported product, then I suggest to you, Mr. Speaker, and through you to the minister in charge, that we wouldn't be faced with this bill tonight.

Mr. Reid: And to those people it all tastes like vinegar.

Mr. Deans: The largest single problem facing the wineries is a marketing problem. It is a lack of desire to attempt to market and to advertise their product. And for many, many years—

Mr. Reid: We drink a lot of Canadian—

Mr. Speaker: Order please. The hon. member for Wentworth has the floor, not the member for Rainy River. Thank you.

Mr. Kerrio: Ask him what wine he drinks.

Mr. Speaker: The hon. member for Wentworth.

Mr. Deans: For many, many years there was virtually no wine advertising done in the province of Ontario—

Mr. Reid: Mr. Speaker, in Rainy River we drink—

Mr. Deans: Virtually none.

Mr. Reid: —a lot of Ontario wine.

Mr. Deans: And on top of that it was the common quiet discussion that only so-called "winos" drank Ontario wine. It was degrading to the industry and it reduced the capacity of the industry to sell its product.

Mr. Reid: Only the NDP would make that kind of statement.

Mr. Deans: And the government failed to enter into any discussion at that time—

Mr. Reid: Whoever said that, other than the NDP?

Mr. Speaker: Order please. The hon. member for Rainy River may have an opportunity later.

Mr. Reid: Mr. Speaker, on a point of order.

Mr. Deans: Oh, sit down.

Mr. Reid: I find that kind of comment slanderous to the people of Ontario and to the wine-growers—

Interjection.

Mr. Reid: —in the Niagara Peninsula for them to make that statement.

Mr. Speaker: That is not a point of order. The hon. member for Wentworth has the floor.

Interjections.

Mr. Deans: What I'm discussing is the 90 cent and the \$1 a bottle wine.

Interjections.

Mr. Deans: Perhaps that's the stuff that the member for Rainy River was drinking before he came in.

Mr. Renwick: You're getting to them now, Ian.

Mr. Deans: In any event, what I'm saying to you is this—

Interjections.

Mr. Deans: —that we have seen no proof—

Mr. Reid: At the Liberal parties we serve Ontario wine—

Mr. Speaker: Order please.

Mr. Reid: —not that French imported stuff.

Mr. Speaker: Order please. The hon. member for Rainy River will please desist. Thank you.

Interjections.

Mr. Deans: Mr. Speaker, we have seen absolutely no proof that the blending will in fact produce larger sales. There has been no marketing study done to determine whether or not the blending will bring about an increase in sales.

Interjection.

Mr. Deans: There are absolutely no guarantees in this bill to protect the farmers of the province of Ontario against further erosion.

Interjection.

Mr. Deans: The government has reserved for itself the right to change the terms by—are you listening? Okay.

Interjections.

Mr. Deans: The government has reserved for itself the right to change the terms of the legislation by regulation. I suggest to you that you should have had at least a three-year period during which there was an extensive effort made, both through advertising and by virtue of the use of the LCB operation, to promote the sale of Ontario

wine. There wasn't up till now—and don't say "pshoo," because it doesn't wash. Every one of us knows that there was no effort made in the last five years to sell Ontario wine.

The only effort that was made was to sell the so-called pop wine, and it happened to be successful. In the areas where they did make any effort to market—the areas where they did do any active promotion—the pop wines, to use the common phrase, were very saleable and very profitable to those who made them—so much so that many of the other wineries have followed suit and gone into the product and sold.

Mr. Reid: Which side is he on?

Mr. Deans: And so I suggest to you that this bill will be detrimental to the farmers—

An hon. member: Wrong.

Mr. Deans: —will not produce a quality product—

An hon. member: Wrong.

Mr. Deans: —and will, in fact, over the long haul, provide for the farmers fewer opportunities to sell their produce. We just don't think that the risks that you're prepared to take are worth taking in the face of what little benefit may flow, given that we happen to think that it will be detrimental rather than beneficial.

Mr. Reid: Strange, considering the farmers asked for the bill.

Mr. Speaker: Thank you. The hon. member for Niagara Falls.

Mr. Reid: Now for somebody who knows something about it.

Mr. Kerrio: Thank you, Mr. Speaker. At the outset I'd like to say that I'm pleased to support this bill. Whereas on many occasions I have desisted from speaking on a particular issue because of lack of interest or expertise, I feel very comfortable talking about this bill.

Mr. Philip: You'd better believe it.

Mr. Kerrio: I want to tell you that I can roll this one around and savour it, and I would say to the member for Wentworth that he doesn't know what he's talking about.

Mr. Reid: Not the first time.

Mr. Kerrio: Mr. Speaker, I'd like him to try and grow an orange in any part of On-

tario, and that's the very thing that we're confronted with in this great industry. I feel that some of the wineries in my area have spent literally millions of dollars improving and planting in fields, many, many different types of hybrids. I think they have reached the very highest point of producing a grape in Ontario that's as good as they're ever going to produce. The wine that that grape makes, I'm afraid, leaves a little something to be desired.

Many of the accepted imported wines that come from France, in reality are blended wines. They're blended with wines from Spain, from Italy, and from other areas. They produce a high-quality product that they put on the markets of Ontario.

Mr. Deans: If you want to put the farmers out of production, you go ahead.

Mr. Speaker: Order, please. The hon. member for Niagara Falls only.

Mr. Kerrio: When you take one ton of grapes produced in the Niagara Peninsula and you crush it, you have a particular gallonage of must that will produce so many gallons of wine. Because of the high acid in that particular soil and sun, we must put water to it to tone down the acid. In place of the water and the sugar that produce what we consider something less than top-quality wine, the industry would now introduce imported grapes or imported wine. We will then produce a product that will be very well accepted across this province and across Canada.

Mr. Breithaupt: There is someone who knows what he is talking about.

Mr. Kerrio: How any member from the NDP could get up and suggest that they're experts in the free enterprise society just astounds me. I sit here on many occasions and listen to them expound on the virtues of the labour movement, and I have to listen because many of them are expert in those lines. But I tell the members, when it comes to free enterprise, I come from that part of the country that makes wine and the people there are asking us on the floor of this Legislature to help them produce a better-quality wine.

The minister and the House leader on the other side have called many meetings. We have had the input, we have had the feeling from the wine industry; we cannot turn this into a political issue. There are many important issues that one can turn into a political issue. This certainly is not one of them.

Interjections.

Hon. Mr. Welch: Let's join together for the grape growers of Canada.

Mr. Deans: Why don't you just go out and clean them out?

Mr. Speaker: The hon. member for Niagara Falls, please, has the floor.

Mr. Kerrio: I will reiterate the very important part of the bill: From so many tons of grapes we make so many gallons of wine. We add water, we add sugar. We are now going to add a quality imported grape or wine. We are going to produce a better product. We are going to sell that product. We're going to sell more grapes. We're going to make grape growing in the Niagara Peninsula a viable, good way to preserve the farm lands. We're not going to try to freeze the farm lands; we're going to make the farmer a very successful businessman. That's the way to keep him in business.

Mr. Nixon: Blast our way into the markets of the world.

Mr. Kerrio: I say again, there will be many other occasions when I will feel as strongly about a bill. But I have to tell the members, with respect, on all sides of this House that I talked with people who have been in the wine industry for many years. They have spent thousands of dollars in vineyards in Niagara. The member for Brock suggests some 70 or 75 per cent are grown in Brock. I would have to think that of the 25 to 30 per cent, a good part of those are grown in Niagara.

Hon. Mr. Welch: I said "in the Peninsula."

Mr. Kerrio: I've got two of the top wineries in Ontario in my riding. I spoke to those people.

[10:00]

Mr. Speaker, may I bring something to your attention that's very interesting? We have a flying farmer in the Niagara area. He grows a lot of grapes and he's a little private enterpriser. He has airplane engines all over the vineyard to keep it from freezing. These are people that are very interested. These are the kind of people I talk to. He said, "Yes, Mr. Kerrio, we have reached the ultimate. Now you can help us on the floor of the Legislature." I say, with respect, we've talked to growers—

An hon. member: You haven't listened to them.

Mr. Kerrio: We've talked to the people who have grown the hybrids that have reached the ultimate product that we will ever produce in this country. We are in competition with other provinces, remember—not only overseas wines, but other provinces' wines. That is something that is very important to the people on the floor of this Legislature. We must identify with those people who are in the industry and know what they are doing, and not attempt to make judgements here on their behalf if we haven't really studied the issue. This is a good bill and we are going to support it.

Mr. Speaker: Does any other hon. member wish to speak on this?

Mr. Haggerty: I would like to speak to this particular bill, Bill 135, An Act to provide for the limited inclusion of Grapes grown outside Ontario in Ontario Wine. I believe it was a couple of years ago that I spoke on a similar bill, and I still have certain reservations about this particular type of bill.

Mr. Deans: Oh, do you hear that? He has reservations.

Mr. Haggerty: When I consider the intent of the bill, I wonder why it is before us today. In the Ontario Grape Grower, June-July, 1976, it says: "Bright's Wine sales rise to record dollar high; sales of Andrés Wines jump 21 per cent." From 1970 to 1975, I believe, the sales of wines have increased by 50 per cent. But quoting again from the article in the Grape Grower, it says:

"High costs and foreign competition have cut profits although sales rose to a record dollar value in the last year, reports T. G. Bright and Company Limited of Niagara Falls. Profits fell to \$203,254 or 20 cents a share."

When one looks at that particular comment, that the profits have fallen, I suppose one should look at the government itself and the amount of tax it has put on Ontario wines and the cost of purchasing the product in competition with import wine.

I was delighted to see that the minister had reduced the price of wine through certain concessions given to the wine industry; perhaps the price will be more in line with the price of import wines. Perhaps he should have done that a couple of years ago.

When I hear some of the comments about how this particular piece of legislation will save the farm lands in the Niagara region, I think that is foolish thinking. The farm

lands have gone; they nearly all have been taken over by developers—

Hon. Mr. Welch: There are hundreds of acres of grapes.

Mr. Haggerty: That's what the member says, hundreds of acres—

Mr. Nixon: Thousands of acres were taken by the Queen Elizabeth Way.

Mr. Haggerty: When we sit back and look at it, hundreds of acres—

Hon. Mr. Welch: Thousands.

Mr. Haggerty: Thousands of them, he says. If one looks at the development along the Queen Elizabeth Way from Saltfleet township to Niagara Falls, one can see the land disappearing. If one goes back into the history of the tender fruit industry of the Niagara Peninsula, one will see that the peach growers are in trouble. One can pick up the Monday, January 26, 1976, issue of the Niagara Falls Review and read: "300 jobs to be lost as peach canning cut."

One can go back and look at previous government actions which resulted in the loss of much of the canning capacity of the tender fruit business in the Niagara Peninsula. We've seen the larger corporations, the foreign corporations, move in and take over these small processing plants and the business has disappeared. There is profit in the tender fruit business.

Hon. Mr. Welch: It doesn't have to happen with the grape-growing industry if you would support the industry.

Mr. Haggerty: The minister doesn't recall the speech I gave a couple of years ago; once the door is open how do you close it? This year we are going to allow more wine concentrate or wine—

Hon. Mr. Welch: No concentrates.

Mr. Haggerty: No concentrates? Well, blending of wine then. We don't know just what it is going to be. But we are going to allow them to come in.

Hon. Mr. Welch: You have been at two meetings where you have been told.

Mr. Haggerty: It's interesting to note, too, that Jordan Wines and Andrés Wines have found a process with which they can take that taste that's in the wines at the present time, and both of them are in a healthy position.

Hon. Mr. Kerr: Baby Duck.

Mr. Haggerty: Baby Duck, that's right. Again, this government and the federal government won't allow them to put on the word "champagne" or a name similar to that.

Mr. Nixon: Oh, the minister has a sophisticated taste.

Mr. Haggerty: So government is much to be blamed in this particular area. I think when one looks back, and I've talked to some of the growers in the peninsula—and particularly in Pelham township where there are a number of large growers of grapes—they're not too happy with this particular type of legislation. They are deeply concerned about it.

It has never gone to a vote of the grape growers. It may have gone to the grape marketing board who've made the decision, but the grape growers in the Peninsula have not actually made that decision. Some of them are not too familiar with just what it may involve or what the intent of the legislation is. My main concern, as I've said before, is that once the door is open, how does one close it? We're dealing with multinational corporations and their interest is to make profits. It may look good this year to the grape growers there, where they've had a surplus of grapes.

Hon. Mr. Handleman: You asked your people in Ottawa to let us do it.

Mr. Haggerty: When one goes back and looks, the government has got them into a new programme or bringing in new hybrid types of grapes. I'm afraid once these come into full production they'll perhaps be cut back later on.

I would like to see this bill reviewed every year—not five years hence, but every year—to see where we are going. Year by year the situation can change. I want to assure the House that my purpose of speaking on the bill today is that I want to see a guarantee that the grape-growing industry is going to be a viable industry, that we're not going to see it backslide like it is at the present time. I want to see the land in production in that particular area. There's a need for that particular type of land. It's perhaps one of the most suitable agricultural lands in Canada.

Hon. Mr. Welch: Hundreds of tons are left on the vines not sold.

Mr. Nixon: Not this year. This government today has not made a decision on the Niagara regional plan.

Mr. Haggerty: It is slowly disappearing through the development in that area.

Hon. Mr. Welch: There were 5,000 tons this year not sold and what are you doing to help?

Mr. Haggerty: This government has not made a decision on the Niagara regional plan as it relates to extension of urban boundaries in the St. Catharines area. When I look at the St. Catharines area, as I understand the information that's passed on to me, one can almost have accommodations for 35,000 people yet within the boundaries of the city of St. Catharines. It's interesting to note that one particular regional council just elected, was elected on that basis to preserve the farm lands of the Niagara Peninsula. I want somebody from the government side to assure me those urban boundaries are not going to be extended, that we're going to protect—

Mr. Deputy Speaker: That's not a part of this bill, I am afraid.

Mr. Haggerty: It is; I think it is, Mr. Speaker. In due respect, I believe it is.

Mr. Deputy Speaker: I am ruling that it is not.

Mr. Haggerty: The intent of this bill is to protect that industry and I want some guarantee from the government, any of the government members over there, to tell me that this is going to guarantee the grape industry in that particular area.

Many are not too happy with the decision. I have my strong reservations about it, but I will support the bill. But I said that once the door is open it is pretty hard to shut it. I can predict that maybe in the future the industry will disappear because the government is allowing the import of foreign wine. Sure, it may make it a better-quality wine to sell, but then again when one looks at the increase in sales in the past couple of years in the wine industry, it isn't that they are not selling the present wine. That's what I'm concerned about. They've increased the sales. Why do they want additional imports, and particularly as they relate to one winery in the peninsula?

I think all I can say is that I'll support it but I still have my strong reservations about it. I want some guarantee from the govern-

ment that it is going to protect the farm land and that we're going to see a change in the Niagara regional bill.

Mr. Deputy Speaker: Does any other member wish to participate in this debate?

Mr. Hall: Can I not add a few comments, Mr. Speaker?

Mr. Deputy Speaker: You've already spoken.

Mr. Hall: Can I not add a few comments, Mr. Speaker?

Mr. Deputy Speaker: No, not on second reading.

An hon. member: Closure!

Hon. Mr. Handleman: I am going to speak very briefly because in my view some of the comments made by the member for Wentworth stem from a complete lack of knowledge of the whole industry and a failure to consult with those in it.

An hon. member: And a total misunderstanding.

Hon. Mr. Welch: Quite typical of that member.

Mr. Deans: Tell us what protection you are going to give the farmers. Tell me how the farmers will sell the grapes that they have got.

Hon. Mr. Handleman: I would like to thank, first of all, the member for Lincoln, the member for Brock, my colleague, the Minister of Culture and Recreation, and the member for Niagara Falls for their supportive attitudes.

Mr. Davidson: What do you know about grapes?

Hon. Mr. Handleman: It has taken me a long time to learn something about grapes and I have put a great deal of time into it. I wish the member for Wentworth had done likewise.

Mr. Deans: I did.

Hon. Mr. Handleman: When I first came into this portfolio almost two years ago I found there was a natural antagonism between the growers and the wine producers. In fact, they would not come into my office together to sit down and talk about their common problems. Over these two years, they have developed a rapport which has

enabled us to reach this point tonight. I think this is a very important point in the history of this industry. But for the member for Wentworth to suddenly become a convert to the values of advertising is completely astonishing to me.

Mr. Deans: That is not so. I told you this months ago.

Mr. Deputy Speaker: Order, please. The member for Wentworth doesn't have the right to interrupt every time the minister makes a comment.

Hon. Mr. Handleman: The member for Erie mentioned very briefly the profit situation of this industry. I don't know how 10 wineries with a gross profit of about \$500,000 between them embark on a promotional programme to sell wine. Wines have to be promoted and I agree with the hon. member on that point. But we have to provide the funds to enable them to finance a promotion programme and it is not going to come from government, not this government. It is going to come from the private sector out of profits they make because we have created a climate of opportunity.

You must have an opportunity to earn profit. That's the way the market works, not by the government saying you shall make one brand with blended import and that will be the only one you are permitted and, if you don't make money on it, then you can get out of the programme. That's not the way the free market works. The free market works by a manufacturer being given the right to do certain things and then going ahead and letting him decide how to do it. That's the way this government will operate.

Mr. Riddell: They don't know anything about a free market or free enterprise or anything else.

Hon. Mr. Handleman: There are other aspects to our whole programme. This is only part of the programme. I think it should be recognized that our aim is to make Ontario one of the finest wine-producing jurisdictions in the world using Ontario products. In order to do that we have to meet the other world producers of wines on their ground with their rules. They all blend and they also grow grapes and their grape industries are not dying. They are flourishing. That's what we want for Ontario. The only way to do it is to adopt the same kind of rules that they have over the past 25 years.

To talk about the Ontario wine producers not meeting the market tastes, market tastes in Ontario have changed dramatically over

the past four or five years. Five years ago the taste of Ontarians in wine was for sweet dessert wine. Almost overnight that changed to dry table wine. In changing to dry table wines, the Ontario wineries did not have the wines to satisfy that market. It is going to take some time. They started out behind and they have developed some fine wine. There is no question at all. The Grape Growers article is absolutely right on. We have the products now.

Mr. Deans: Without blending.

Hon. Mr. Handleman: We don't have them in quantity and we don't have the reputation. We have to enable our people to compete not only with foreign wine producers, but with Quebec wine producers, with British Columbia wine producers, with California and New York, all of whom blend. We have to provide our producers with the same ability to meet that competition on the same grounds.

Time is short but I want to say that the LCBO has worked very diligently with the industry. We have worked with the growers, with the producers, with the Ministry of Agriculture and Food, with the UCBO and within my ministry. I think we have developed a total programme, including promotion, which will be coming forward in a period of a few months, and including the establishment of wine standards that this province will be proud of.

We are going to develop a system of appellation control which will enable us to promote our wines as fine wines. At the present time I think we can say that they are good table wines. We want to develop a finer quality than that and I think we can do it. With the co-operation of the industry, Agriculture and Food and my ministry, we expect within the period of this bill, five years, to see the Ontario wine industry meeting its competition everywhere in the world, not only in Ontario, and we're going to help it to do it.

[10:15]

The House divided on Hon. Mr. Handleman's motion for second reading of Bill 135, which was approved on the following vote:

AYES	NAYS
Auld	Angus
Belanger	Bounsall
Birch	Breaugh
Breithaupt	Bryden
Brunelle	Burr
Bullbrook	Cassidy

AYES	NAYS
Conway	Davidson
Cunningham	(Cambridge)
Drea	Davison
Eakins	(Hamilton Centre)
Eaton	Deans
Edighoffer	Dukszta
Evans	Ferrier
Ferris	Foulds
Gaunt	Germa
Good	Gigantes
Grossman	Godfrey
Haggerty	Grande
Hall	Laughren
Handleman	Lawlor
Henderson	Lupusella
Hodgson	Mackenzie
Johnson	Makarchuk
(Wellington- Dufferin-Peel)	McClellan
Kennedy	Philip
Kerr	Renwick
Kerrio	Samis
Lane	Sandeman
Leluk	Warner
MacBeth	Wildman
Maeck	Ziemba—29.
Mancini	
McCague	
McKessock	
McNeil	
Meen	
Miller	
(Haldimand-Norfolk)	
Morrow	
Newman	
(Windsor-Walkerville)	
Nixon	
Norton	
Parrott	
Peterson	
Reid	
(Rainy River)	
Riddell	
Roy	
Ruston	
Scrivener	
Shore	
Smith	
(Nipissing)	
Smith	
(Hamilton West)	
Snow	
Stephenson	
Sweeney	
Taylor	
Timbrell	
Villeneuve	
Welch	
Wells	

AYES

Williams

Wiseman

Worton

Yakabuski—62.

Ayes 62; nays 29.

Ordered for committee of the whole House.

Hon. Mr. Welch: Mr. Speaker, before moving the adjournment of the House, may I indicate that tomorrow afternoon we would proceed with orders 12 and 13—that is Bills 189 and 190—following which we would go

into committee of the whole House to clean up legislation which is there. Following this we would call order 14, being the second interim report of the select committee on the fourth and fifth reports of the Ontario Commission on the Legislature.

Just by way of some indication, on Thursday we would do second reading only of Bill 176, following which we will do the supply bills and then wind up the budget debate.

On motion by Hon. Mr. Welch, the House adjourned at 10:35 p.m.

APPENDIX A

Standing Resources Development Committee.

TUESDAY, DECEMBER 14, 1976

The committee resumed at 3:05 p.m.

THE WORKMEN'S
COMPENSATION BOARD

(continued)

Mrs. Campbell: Mr. Chairman, before we start, I would like to say that I have been substituted, as I understand, for Eric Cunningham on this committee, and I would move that following the introductory remarks of the critic for the opposition, we then revert to the position of time so that the Liberals then will have equal time, and the Conservatives, rather than rotating the speeches because otherwise there will be no opportunity for the rest of us to add to this debate.

Mr. Chairman: You have heard the motion made by Mrs. Campbell. Is there any discussion on the motion?

Mr. Ferrier: Who is going to keep the stopwatch going on it?

Mrs. Campbell: You don't need a stopwatch. We've had all morning with one speaker and we still have more to come.

Mr. Chairman: Any discussion on this motion?

All those in favour of the motion as proposed by Mrs. Campbell? You didn't suggest a time limit for each speaker?

Mrs. Campbell: No, I did not suggest a time limit. I am not trying to muzzle anybody, but I also feel that the Liberals ought to have—

Mr. Chairman: Equal time?

Mrs. Campbell: Yes, equal time. We haven't had a time limit.

Mr. Lupusella: We accept the principle of equal time.

Mrs. Campbell: Then you will take over tomorrow.

Mr. Lupusella: Okay.

Mr. Chairman: You have already spoken for an hour and 15 minutes, Mr. Lupusella.

Mr. Lupusella: Okay, Mr. Chairman.

Mrs. Campbell: An hour and 45 minutes.

Mr. Lupusella: Thank you very much, Mr. Chairman. I will try to be very brief—

Mrs. Campbell: Could we have the motion put?

Mr. Lupusella: —at this point in time and I will get into the core of—

Mr. Chairman: Order. I asked for any discussions on the motion. If there's no further discussion on the motion, I am going to put the question.

All those in favour of Mrs. Campbell's motion will please indicate by a show of hands.

All those opposed? All right. The motion is carried. Mr. Lupusella.

Mr. Lupusella: Thank you very much, Mr. Chairman. As I stated before, I will get as fast as possible into the core of my leadoff speech by going back to the response of the previous statement made by the chairman of the Workmen's Compensation Board.

Let me go back for a while to last year's committee hearings. My frustration since then has reached high proportions in my day-to-day dealings with the board and injured workers. It is my impression that the Workmen's Compensation Board, instead of improving its system, is completely deteriorating without seeing any sign of interest toward a change for the better either by the Minister of Labour (B. Stephenson) or the chairman of the Workmen's Compensation Board who is completely responsible for the administrative changes and policies.

Since last year I have made certain recommendations to the chairman of the Workmen's Compensation Board and to the Minister of Labour which either were completely ignored or never implemented. I made specific reference to the insensitivity and cruelty of the Workmen's Compensation Board in assessing the pensions of injured workers, which are relatively low in relation to the high cost of living and which leaves injured workers in a state of poverty or forces them to get into the scheme of municipal welfare provincial assistance because they are unable to live on the pension given by the Workmen's Compensation Board.

Social assistance programmes are funded by taxpayers' money and not by employers.

Therefore, I don't see any justification at all in having those injured workers following the same road of a poverty level instead of fighting injuries in the province of Ontario by putting the responsibility on the shoulders of the employers, where it belongs, by penalising them with stiff fines or taking them to court, if it is necessary, instead of letting them off the hook lightly as they are now, with the injured person being made to pay the highest of all through physical and mental suffering and financial deprivation.

I made particular reference to the board's chart, which someone appropriately nicknamed the "meat chart," from which the board assesses the percentage of disability awarded to an injured worker. For those who have never heard of those words, I want to use the technical words used by the board, which is the permanent disability rating schedule. The meat chart's reputation derives from its results. One-legged people who can find no work at all competing with two-legged customers in the Canada Manpower unemployment offices are, along with their families, reduced to sheer poverty. How can such situations be tolerated? Perhaps it is because the past was even worse than the present.

Before the Workmen's Compensation Board was set up in Ontario, the injured worker had to take his employer to court in order to collect damages. The first compensation law, The Workmen's Compensation for Injuries Act, 1897, required the worker to prove that his employer was negligent. It was awfully hard to prove a fault in accident cases and the courts usually decided for the employers. Apart from this, it cost money to take employers to court and it took a long time to get the verdict. The awards in those earlier days were less than 50 per cent of income and industrial diseases were not covered. Things have changed for the better because of the New Democratic Party, the trade union movement and the public at large. It took a lot of time to force the government to take action—

Mr. Mancini: Is that going to be in your paper?

Mr. Lupusella: —to shift more the burden of industrial accidents to the industrial owners who profited from unsafe work practices. That's where business and the government came together to create a plan in order not to cost business too much hardship.

Interjections.

Mr. Lupusella: Today business and government are not satisfying the public's de-

mands. Mr. Chairman, on a point of order, can you keep the hon. member under control?

Mr. Chairman: It's pretty difficult. Order, please.

[3:15]

Mr. Lupusella: Without being too pragmatic the present structure of the Workmen's Compensation Board is following the policies of defending the employer's interest and has put injured workers in a state of poverty by destroying their families and their well-being.

The board has functioned since then, as I stated last year during the committee hearing, as a private insurance scheme for employers and as supposed benefactor for injured employees. That's why we, as NDPers, would abolish the Workmen's Compensation Board if we were going to form the government. We would establish a no-fault comprehensive insurance programme for all the residents of Ontario to cover any accident, illness or death, by integrating all the present schemes. The principles behind our scheme would be: First, immediate compensation to every injured person irrespective of fault or where the accident occurred; injured persons to receive compensation both for permanent physical disability and for income losses on an income-related basis with regular adjustments to allow for inflation.

Similar compensation would be paid to those who are incapacitated by illness. The right of court action based on fault would be abolished.

Sixth, The Workmen's Compensation Act to be repealed and private carriers excluded from the field of accident and sickness coverage, except for supplementary coverage.

Seventh, death benefits, so as to ensure a continuing and adequate income for surviving dependents. The Workmen's Compensation Board has failed the injured workers over the province and the private insurance schemes are dedicated to profit making so the NDP feels that the residents of Ontario need this protection.

The system is administered by the provincial government through the Minister of Labour and the board itself is completely financed by the employers. The philosophy of this government to be adverse to injured workers is clearly spelled out in part I, section 8, of the present Act which states that an injured employee forfeits his or her right to any legal action against the employer, however negligent the employer has been, if the

employee accepts benefits from the Workmen's Compensation Board. This is how the employers are let off the hook, by paying a small fixed sum.

The employer is protected against the great majority of actions to which he might otherwise be subjected. This is why more injured workers are suffering the detrimental consequences of the present system of operation of the board and that is why this government is guilty of ignoring the high number of injuries on the job which, in the province of Ontario, is depressingly high.

Going back to the meat chart, let me make public knowledge of how the Workmen's Compensation Board assesses the disability pension. It is not from the view of the workman's employability and the kind of trade he used to perform before getting injured but from the view of the figures collected on the schedule of disabilities rate, which the pensions department mostly adheres to. I'm sure everybody is aware of the situation in which the injured worker appeals his percentage of disability and by winning the case his pension is increased. What criteria does the board follow and what does the board apply in relation to the ceiling which is incorporated in the board's permanent disability rating procedure? I would be delighted to hear some comments from the board later.

I make particular reference to the policy applied by the board from October 24, 1966 to June 22, 1970 and up to the present date. In my opinion the policy has not been clearly modified. Let me read to you, Mr. Chairman, the attitude of the board in relation to clinical ratings. I quote from the board's policy: "Clinical ratings should not be influenced by the claimant's particular occupation or other circumstances. Such circumstances may entitle him to a supplementary allowance. However, no special circumstances should affect the basic clinical ratings. Account should not be taken of extraneous factors when determining the clinical rating of a pensionable disability."

How can one speak of such things as concern, humanity, et cetera, and then apply this disgusting degree of rigidity when you are dealing with sick people in the province of Ontario? Mr. Chairman, this is the approach of the board towards dehumanization of a worker unfortunate to have an accident on the job—workers of the province of Ontario—our most productive and valuable source of well-being. Yet here we are in a place where those statutes should be changed by improving the present legislation and we see the Minister of Labour vigorously defending the

philosophy of the Progressive Conservative Party and stating that the Workmen's Compensation Board is the best setup for injured workers.

In my budget debate speech of June 21, 1976, I made particular reference to the stinginess of this government towards injured workers by mentioning that widows of workers killed on the job get just a miserable pension of \$286 a month. I quote from my speech, Mr. Chairman, that "Scrooge himself would quake at such stinginess." I haven't noticed yet any move from this government to do something about it by increasing the pensions of widows and totally disabled persons—at least up to the poverty line.

With relation to the special supplement, Mr. Chairman, when a pension is already assessed—unless the policy of the board has changed since June 22, 1970, and if it has I would like to have a copy of those changes—the pensions officer "shall be responsible for the decision to recommend any increase in the basic clinical rating by way of a special supplement. It should bear a proportionate relationship to the basic clinical rating and the proportion may vary as the case warrants."

That is why the Workmen's Compensation Board is so stingy in allowing supplemental pensions to injured workers. What if the pensions officers are attitudinally against the claimant? You can be sure, Mr. Chairman, that even though doctors and specialists are suggesting an increase in the percentage of disability and if the percentage of disability has already reached the maximum ceiling, the injured worker loses his appeal automatically. My question is, why don't the Workmen's Compensation Board and the chairman of the Workmen's Compensation Board recommend a revision of the ceiling provided by the permanent disability rating schedule, taking into consideration the kind of trade which the injured worker used to perform before the injury took place?

Going back to the permanent disability rating procedure applied by the board, under the item on review from the board's policy book, I quote: "clinical ratings shall be subject to change only by subsequent medical examiners or on a review by the chief of the pensions department or by a review committee, the appeals examiner or the board. The file should always be marked back to the chief, pensions department, for reference purposes."

I am completely surprised when we are appealing the increase percentage of disability based on medical reports—specialists' reports—

why is the board not following the rating schedule suggested by an independent specialist? Does the chief of the pensions department have the last word on whether or not a pension should be increased or is it the doctors employed by the board? They of course are not defending the interests of injured workers, making any recommendations on increasing the worker's pension instead of the independent doctor or specialist who has been treating the injured worker since his injury and is best qualified to know the physical and the mental condition of the disabled person or persons.

So when are the Workmen's Compensation Board and this Minister of Labour going to make recommendations to the Legislature that the assessment of the disability of an injured worker should be determined by an independent group of specialists in which the family doctor should play an important role, and in which there is no interest involved on the part of anyone?

The Chairman of the Workmen's Compensation Board, Mr. Starr, has been stating that he would be open to recommendations to improve the system of the board. I am not sure whether our criticisms, either in the Legislature or through the committee hearings, are producing some effect in order that such improvement is going to take place. I can only hope so.

Last year during the committee hearing of the Workmen's Compensation Board, the Chairman of the board, Mr. Starr, had been making some remarks about the use of adjectives, which were quite heavy, in describing the board. I want to remind him through the Chair that my position hasn't changed yet until the approach of the board on applying The Workmen's Compensation Board Act entirely changes.

I hope the minister will consider seriously the introduction of my private bill introduced in the Legislature with regard to increases to pensions in relation to the cost of living increase. Only if the bill is taken into consideration, will we, as NDPers, strongly believe that there is no need for introducing amendments like the ones enacted in 1974 and 1975. They were completely inadequate for the simple reason that the problem of the workers injured many years ago still remains. They did not even come close to solving the problems.

The area of rehabilitation for injured workers is a complete disaster. The case of Premier Picture Frame Manufacturing is a typical example. How effective is the board's programme, taking into consideration that there

is no future on those programmes for injured workers? And besides this point, we got into the area of exploiting injured workers by making companies richer at the expense of injured workers. What kind of programme is this?

I want to conclude my remarks, in order to give an opportunity to other members to present their own criticism and their points of view about the Workmen's Compensation Board. I really hope that the minister is going to give me a response to what I have mentioned. I hope also that immediate changes are going to take place in order that the problems of all injured workers around the province are going to disappear. Thank you very much.

Hon. B. Stephenson: It has been interesting to listen to this usual recantation of hyperbole concerning the Workmen's Compensation Board. Indeed there is one area which the hon. member quoted for which I cannot find the source, the quotation regarding board policy which—

[Mr. Lupusella: Do you want to see the book?

Hon. B. Stephenson: Yes, I would like to see the book if that's possible, because it is not to my knowledge board policy. Indeed assessments for disability pensions are based not only upon the rating schedule of the percentage of impairment of earning capacity, not specifically on what the hon. member is pleased to call the "meat chart." But it is based as well upon reports from physicians, including the family physician, which are most carefully taken into account and, from time to time and in certain instances, on social economic factors as well.

There is no specific relationship to what Mr. Lupusella has called the little green book in all instances. It is certainly very erroneous to suggest to this committee or to anyone else that the government of the province of Ontario is not concerned about safety and health. We have spent the last several weeks, as a matter of fact, actively involved in improvements to the legislation, but indeed our record regarding the supervision of industrial safety and construction safety, I would tell you, is second to none in Canada. It is certainly very much superior to many European jurisdictions, some of which Mr. Lupusella knows extremely well.

[3:30]

Mr. O'Neil: As leadoff for the Liberal Party, I would like to read into the record

a letter which I sent to the minister quite some time back. I haven't received an answer on it yet. I think it expresses my feelings and I know those of some of the other members in our party. If I may, I'll read it into the record. It was addressed to the Minister of Labour on November 17, 1976, in regard to the Workmen's Compensation Board.

It says: "Enclosed for your information are copies of correspondence regarding Workmen's Compensation claimant Mr. James Briand of Belleville, who is one of my constituents. Also attached is a copy of a press release, dated February 20, 1976, which includes in it a copy of a letter to the Ombudsman, dated February 16, in which it is suggested that immediate steps be taken to completely restructure the board in order that it may properly compensate the workmen for whom it was established.

"I am afraid that Mr. Briand's file makes for much dreary reading but would ask that you take the time to carefully study it as it should serve as an example of the fact that a workman who is injured on the job and subsequently suffers from partial or total disability must be of a very aggressive nature and at the same time possess the patience of Job if he hopes to obtain any satisfaction from the board.

"In the 14 months that I have been representing the riding of Quinte at Queen's Park, my office has been flooded with requests for assistance from injured workmen who are attempting to negotiate with the Workmen's Compensation Board. Because of the nature of some of the requests, I have corresponded with the Chairman with a request on behalf of my constituency for speedy action on the claims.

"On the last count I have been in touch with Mr. Starr personally"—and when I say personally I mean by letter—"on more than 50 individual cases and as you will note from Mr. Briand's file considerable follow-up correspondence was essential. Of course, many requests for assistance have been handled through telephone conversations with board personnel. I would not venture to guess just how many claimants called because cheques were delayed or not forthcoming or because they could not themselves get any answers from board personnel or indeed even get through to the board because of busy telephone lines.

"Many hours have been spent by myself and by my secretary-assistant at Queen's Park listening to the complaints and attempt-

ing to advise and reassure men and women who are worrying about food, mortgage payments, rent and indeed every problem faced by a person who does not know where the next dollar will come from.

"Because of the nature of the Workmen's Compensation complaints and the fact that the board is located in Toronto, the work on these is not handled by my constituency office but is done by myself and the one secretary-assistant available to me at Queen's Park. If I were faced with as many complaints about any other government agency, department or ministry, be it federal or provincial, I would have to make a choice of either neglecting a segment of my constituency complaints or allowing the broad spectrum of legislative commitments and representation of my constituents to fall behind.

"When one multiplies the number of cases which come to my attention over a period of one year in office by 125 members of the provincial Parliament, it adds up to a staggering number of people who are very unhappy with the way in which the Workmen's Compensation Board functions on their behalf, taking into consideration the members of the workman's family, who must also be included in the count, as well as those claimants who are not sufficiently well informed or aggressive to call on an MPP for assistance.

"You are undoubtedly aware of the several organizations established by injured workmen and sympathetic members of the public in an effort to obtain fair treatment from the board. I am sure you must be familiar with the work of the injured workmen's consultants. This group includes law students, social workers and other community and legal workers. With the assistance of LIP and OFY programmes in 1972 and 1973 they were able to employ a staff of over 50 with six area offices throughout Ontario. For the past several years assistance was also forthcoming from the federal Department of Justice, the United Church, the city of Toronto, trade unions, the Ontario Legal Aid Plan and private donations.

"I would also like to bring to your attention at this time some odd observations about the conduct of hearings and inquiries at the board. It appears to me that appeal tribunal hearings are conducted in such a way that the workman is dealt with more in the manner of a defendant in a trial rather than as a person who has sustained an injury on the job and in good faith is seeking compensation to which he believes himself entitled.

"At these hearings, the workman and his representative, who may be an MPP, a legislative secretary assistant, a law student or anyone the workman can find to represent him, are pitted against the three seasoned commissioners of the board. I know that one of these commissioners is a lawyer and another is a doctor-lawyer. In our system, every person accused of a crime is entitled to qualified legal representation in our courts of law. It seems most unfair that the injured workman should be entitled to less consideration.

"I am in no way suggesting that such hearings should be set up in such a way that they become a contest between lawyers. In any case, the lawyer representing the injured workman under the present system would be at a distinct disadvantage as he, too, would be faced with the cumbersome machinery of the board. Rather, it would seem more humane and just, and probably would save a great deal of administration cost, to scrap the antiquated and time-consuming system of appeal now in effect at the board and replace it with one geared to providing claimants with a speedy, fair and sympathetic assessment of claims in an environment free of the intimidating atmosphere that presently exists there.

"In my dealings with injured workmen I have found them, as a general rule, to be characterized by honesty, patience and courtesy in spite of, in some instances, their evident depression after months or years of frustration and financial embarrassment.

"In my study of the Workmen's Compensation Board, it was noted that back in 1913, Sir William Meredith, in a report to the provincial government regarding laws relating to the liability of employers to make compensation to their employees for injuries received in the course of employment, recommended that a completely new Workmen's Compensation Act should be established and that one of its basic concepts should be to overcome the costly delays and nuisances of litigation in order that the injured workman and his dependants could receive the benefits of speedy justice, humanely administered. After 63 years, unfortunately this concept is far from realized.

"May I respectfully ask for your careful consideration of my representations on behalf of my constituents who are Workmen's Compensation claimants as well as all the injured workmen in Ontario. It is my sincere hope that you, as Minister of Labour, the Ombudsman as the representative of the common man in his attempts to cut through bureaucratic red tape and be assured of justice, all

the members of the provincial Parliament, and everyone who has an interest in realizing the excellent concept described by Sir William Meredith early in the century, will work together to achieve this end. I am sure that the combined sincere efforts and goodwill of all who share my concerns will soon produce the desired results. Please let me hear from you on this most important matter. With kind regards."

I know the leadoff speaker of the NDP quoted a lot of cases and everything else, but I don't think it's appropriate—

Mr. Haggerty: It was just one case.

Mr. O'Neil: —to take up the time of people here today by going over the 50 some cases we have handled since the beginning of the year. I know, Madam Minister, you mentioned the reason we are meeting here today was to review the function of the Workmen's Compensation Board. I think it is also our job as MPPs to give constructive criticism in such a way that it will benefit the injured workmen of this province.

I have no direct criticism of individual members of the board or the staff but I think they have to understand when MPPs, our secretary-assistants or other people come to them on behalf of injured workmen that is part of our job. In a lot of cases, these people come before your people but are not given proper assistance or are not represented properly before the board. As I mentioned there is a type of uneasiness when they have to sit down before three seasoned members of the board.

It is also our job to persevere on behalf of these people. I know that when we continually call up your office or write letters it is not always appreciated by your staff but unless we do this, in a lot of cases these people will be turned out, will have to return to their homes and will not be given what I call a totally free hearing of their cases. We have experienced a bit of this.

I have also had something come back to me that certain members of staff feel that we are pressing things too hard. I have also had people come back to me and say you're not handling it in the right way because of the way you or your staff have talked to some of our people. But I do feel, as I say, that we have to press this thing a certain amount or otherwise we do not get results from your people, they tend to turn it back.

I know that we advise our people. We go through the process and if we don't get it, we will—you may call it harass your staff—we will go back at them. We will ask for

reassessments, we will ask for appeals; but as I say to me this is our job.

The problem that I find we are encountering, as I mentioned in my letter, is that a lot of the time of myself and some of the other MPPs is being taken up with strictly the Workmen's Compensation Board. If we multiply it by 125, whatever it may be, there's just too much of our time taken in regard to workmen's compensation, so there has to be some type of a problem here.

I know we have cases that come before us, we go to the board and we are flatly turned down. I had one case this week where I returned to the office on Monday and I found that on Friday of that week my secretary had been talking to somebody on the Thursday or Friday before and we were flatly turned down, we couldn't get a hearing or an assessment as soon as we wanted it. We had a family back in the city of Belleville that had no way to pay for their rent, no way to pay for their hydro, they had no money to put food on the table. I come back to my office on Monday and I find that my secretary has sent out a personal cheque of her own for \$400 to this family to give them something to live on. We shouldn't have to do this, we shouldn't have to do this at all.

Where we are waiting for reassessments or appeals on certain cases, I feel that some of these people should be given some type of funding to carry them over, to provide the essentials of accommodation and food until these appeals are heard.

Another thing, Mr. Starr, is you mentioned the increase in the number of regional offices, in hearings and so on. I think we have to have more regional offices than we have now. We have to be able to bring some of these hearings to some of the local areas so that these people don't have to be brought into a new, strange surround, being the city of Toronto, surrounded by strangers. I think this presents a problem in the case of transportation; I know you do supply this, but I also feel that some of these people are a little reluctant to even ask for things like that. I have had them come up to Toronto here on the bus and they have had that expense and they haven't had the money to go back, or they haven't had money for meals. We have had to give it to them, or we have had to call the board two or three times until we get the money out of the board so they could get something to eat for lunch or dinner at night, and to go back. I don't think that's right.

I think there has to be more local input and control over some of these hearings. I just feel that too many strangers are dealing

with too many of the cases; there should be more local input from your local representatives in the local areas. I don't feel that your office here keeps in touch enough with the people back in other areas. There's correspondence and calls being made on a certain claim, say back in the Belleville area, and I don't think you keep your people in touch back there with copies of the correspondence or discussion. I think sometimes the cases are handed from one person to another, rather than having one person carry through on an individual case.

Mrs. Campbell: At least they haven't lost the file completely.

Mr. O'Neil: Another thing, and I come back to this point about proper representation at hearings, I don't feel as much of our time would be taken up at these hearings if you gave proper representation to these people. They shouldn't have to go out and try to get an MPP to represent them; or try to get a lawyer, which they can likely not afford.

I think there should be some sort of a system set up whereby a claimant coming before your board is given the assistance and help that he needs. I don't think this is being handled well, not to the extent it should be. Let's put it this way, if it is available for them, I don't think it is conveyed to them as much as it should be. I will ask for your comments on that.

[3:45]

I would also ask for a change in the type of hearing. I mean no disrespect to the people employed by the board; it's the same regardless of whoever was representing these people. In a lot of cases there is a type of depression; they're not well, they're under a certain amount of pressure and they're being questioned by the people on the board. I just don't like that. It's a system that I think should be changed. I know if I say it should be changed, I should have some sort of suggestion. I just feel there should be a restructuring to do that.

I know that we have also turned over a number of our cases to the Ombudsman when we just couldn't get anywhere after we'd built up thick files and everything else. I think they are certainly attempting to do the job, but one of the weaknesses there, I feel, is that right now their case load is getting very heavy, not only with Workmen's Compensation Board cases but a lot of other things too. They have a lot of young staff, and although I can see a certain enthusiasm

through having young staff, sometimes it takes a person who has been through the ropes a few times, who will persevere, to work for these people. So as I say, I hope for some changes in the office of the Ombudsman also.

I was interested in your comment this morning on this 83 per cent postponement and some of the other figures you use. I would like you to comment, if you would, on why you feel you have the postponements you do.

In closing, I would like to make another point to your staff. Likely when you're in the type of business that you are, there is a tendency after awhile to become a little hard-nosed with people. I would only ask that in a lot of these cases a little more compassion and charity can go a long way with some of the people who appear before you.

I would hope that my suggestions and comments have been made in a constructive vein, and I would ask that the minister and the Workmen's Compensation Board would consider some of these things I have suggested.

Mr. Starr: I would like to comment to Mr. O'Neil that if a rejection is made to a claimant, this enclosure goes out with every letter. On this point it says: "A workman's adviser is available at the board's offices in Toronto without charge to assist in preparing and presenting appeals." I must say they're excellent fellows. Certainly they're paid by the Workmen's Compensation Board, but they do a good job; they prepare a case a lot better than most lawyers do. And the fellows who represent the various unions—

Mr. O'Neil: Well, what I'm saying—

Mr. Starr: —also are excellent people. They have been interested and they know The Workmen's Compensation Act, they know the procedure. They make excellent representatives.

Mr. O'Neil: Mr. Starr, maybe you feel they do represent people properly, but I don't feel they do. When you have people paid by the Workmen's Compensation Board to represent a claimant before the company they work for, it puts them at a bit of a disadvantage. I just feel there should be some type other than a Workmen's Compensation Board employee.

You know the number of kicks you're getting here. I'd love to see somebody bring in the suggestion that a select committee be set up to go into some of these points, and others that will likely be raised here, and perhaps it

would come up with a different process of giving these people representation at these hearings.

Mr. Starr: Mr. O'Neil, I have found in the past three years that those claimants who are represented by a worker's adviser, either at the examiner's level or at the board level, if the decision is favourable they think the worker's advisers are the best in the world; but if they get a decision that's not favourable then they feel that possibly they should have had someone else.

Mr. O'Neil: Of course, that's only natural.

Mr. Starr: That's only natural; but where—

Mr. O'Neil: Right. Of course I think, Mr. Starr, what we have to be concerned with is that if a certain percentage of those people turned down by the board should have been approved and could be approved by a little further pressing, I think those are the people we have to worry about; it's the people who are turned down. If there is an injustice done there, I think that the Workmen's Compensation Board and the minister have to consider a different type of representation and a different way of processing some of these claims.

Mr. Starr: If I may answer Mr. O'Neil? You said that in my remarks I said that among the major causative factors are the postponements. They are requested by claimants, in the main. For example, we may have two hearings scheduled for this morning and two in the afternoon, by the one panel. All of a sudden, at the last minute, the claimant doesn't appear. They have to wait until the next time. You can't substitute someone else.

Mr. O'Neil: When you say there is a cancellation, what percentage of those—say 80 some per cent—would come back again? Or do you never see them again?

Mr. Starr: It's rescheduled at a time when it is more convenient for them.

Mr. O'Neil: So in other words you do eventually see them.

Mr. Starr: Oh yes.

Mr. O'Neil: It isn't a case that they cancel out completely?

Mr. Starr: We don't lose them, no.

Hon. B. Stephenson: Could Mr. Reed respond?

Mr. G. W. Reed: There is a small proportion of those that do not turn up, that do not wish to pursue their appeal, yes. But the majority, the vast majority of the postponements, are rescheduled.

Mr. O'Neil: Do they give any reason for postponing? I know there could be many but—

Mr. G. W. Reed: We get a lot of different reasons. First, we get people who are no-shows. They simply don't communicate. They simply do not turn up. Then you'll get a group where either the claimant himself or his representative will have conflicting dates. You find that with lawyers as well. They have conflicting dates and they say postpone, we've got to be elsewhere. You have a group of people for whom it is simply not convenient. You have a group of people who simply forget, we have that. There are all sorts of reasons.

Mr. O'Neil: You see what I would be a little worried about is if you do have a certain number of—this is why I asked this figure—cancellations, would those people be a little afraid to come before the board? Is there a certain amount of—when a person isn't feeling well, or there's a certain amount of—

Mr. G. W. Reed: People are sick; that's another reason, of course. You get people who are sick or scheduled for some sort of treatment or something; that's another reason. There's no question there's a proportion of those.

Mr. O'Neil: Possibly I could ask Mr. Starr: When you have these regional offices—do you set up hearings very often in the regional offices?

Mr. Starr: No, we haven't as yet, sir. But I think—

Mr. G. W. Reed: May I just comment on that?

The appeals examiners' inquiries are held at the various regional centres where there are offices, not in the office itself but in the same locality.

Mr. O'Neil: Do I feel that there is a thought that the board will be going out into the areas rather than having these people come in to the Toronto office?

Mr. G. W. Reed: Yes.

Mr. O'Neil: Could I ask how soon this will likely be implemented?

Mr. Starr: What we have at the moment or are concentrating on at the moment—I'm talking now about appeal board hearings, you understand, not appeals examiners, because appeals examiners' inquiries are now held in the field—but the appeal board hearings, up to the present time, have never been held outside Toronto. However, we have had two more commissioners just appointed and we are anticipating that by the spring we should be able to start some travelling in the field.

We have a large backlog to catch up at the moment at the appeal board level. That is what we want to concentrate on, but once we've got that in hand then we will have the personnel to start setting up appeal board hearings in the field.

Mr. O'Neil: Has there been any thought of changing the set-up or the process of the appeal board; in other words a different type of hearing?

Mr. Starr: Your observations intrigue me, because this is one of the more important things the task force looked at to see that these hearings would be very informal. In other words to get the required information and a discussion with the representative of the claimant or the claimant himself about his case. Now if you have any ideas at all, Mr. O'Neil, that might improve our present system I would be glad if you would convey them to me. We can sit down and discuss them; we are after improvement.

Mr. O'Neil: First of all I think it is a case of having it possibly held locally. Secondly, I think one of the things that sets these people off is walking into that big boardroom.

Mr. Starr: We have smaller boardrooms. They are heard there, too. They are not very big.

Mr. O'Neil: Okay, but I think the atmosphere sometimes could be eased a little.

Mr. Starr: It is like going to a dentist, Mr. O'Neil, isn't it?

Mr. O'Neil: That's right.

Interjection.

Mr. Chairman: Order, please.

Mr. Starr: I would be glad to discuss it any time with you. If you have any ideas on how we can improve it, Mr. O'Neil, I would be grateful.

Mr. G. W. Reed: If I may make a comment—as you are aware, under The Work-

men's Compensation Act we have an inquiry process rather than an adversary process and I think that—

Mr. O'Neil: But it doesn't turn out that way.

Mrs. Campbell: No, it doesn't.

Mr. O'Neil: I know what you may feel—you may feel that it is but it does not come out that way at all. It is just the opposite.

Mr. G. W. Reed: That is something on which there should be some discussion with the chairman, if that is your feeling.

If you are dealing with an adversary process you start off, of course, with the proposition that it is for the claimant to establish his case. With an investigative process the board assumes the responsibility of trying to ascertain facts. You ascertain facts through questioning.

If it is your feeling that the questioning is conducted in some improper fashion that is something which should be discussed. It is important, in my view, to maintain the investigative process because it is in that way the claimant will get the greatest help. If you leave it up to the claimant and you get to the adversary system—that is not a system, I think, which is designed to help the claimant.

Mr. O'Neil: As I say, from what I can see of it, these people go in and they are scared to death. They are scared half to death of you people. There may be no reason that they should be scared but they are scared half to death. They are put right on the spot. You mentioned the dentist's chair and I have to believe it is 10 times worse than that because these people, in most cases, are very sick people; they are not feeling well.

Mr. Lupusella: As a short supplementary on the same topic, in order that I can show my concern about why there is this postponement of those claims, in my opinion, and following my personal experience in that field, I think there is a serious problem involved in the proceedings. You have complete access to the file, just when the claim is under appeal and I think a lot of people are postponing their appeals because they want to see their files. The Workmen's Compensation Board should change its direction in some way in order that a person can have access to the file without leaving it until the appeal. That is where the problem lies.

Mr. Starr: May I just answer this? Mr. Lupusella is not aware of everything that goes on at the Compensation Board.

Mrs. Campbell: Nor is anybody else.

Mr. Starr: We are the only jurisdiction in Ontario which has access to files at the appeals stage. Anyone, including you, Mr. Lupusella, who has a written statement from the claimant, charging you with the right to look through his files before you come to the appeal board, can go right through the whole file.

Mr. Lupusella: But you have to make an arrangement with the board.

Mr. Starr: Of course. You don't think that just because you want to see somebody's personal file, we would hand it to you?

Mr. Lupusella: That is what I am trying to say.

Mr. Starr: I don't think that is right.

Mr. Chairman: Order. Mr. O'Neil has the floor.

Mr. O'Neil: Mr. Chairman, so we can keep this thing as short as possible, it is my understanding that—

Mr. R. S. Smith: Why should you have a private file on people?

Mr. O'Neil: —it was part of our leadoff that Mr. Mancini would take over from me. I'll try to cut mine as short as possible.

Mr. Chairman: For the benefit of the members who weren't here when the committee resumed, we do have a resolution which was passed by the committee that each party would have equal time rather than alternating speakers. The NDP has consumed one hour and 30 minutes. That is a conservative estimate.

[4:00]

Mrs. Campbell: Two hours.

An hon. member: One hour and 33 minutes.

Mr. Chairman: Yes, I think you're right.

Interjections.

Mr. Chairman: And about 25 minutes for the Liberals. That means that Mr. Mancini has an hour if he wishes or members of his party.

Mr. Mancini: I'm very pleased, along with Mr. O'Neil from Quinte, to help in the opening statements for the Liberal Party in these estimates. I would just like to start off by mentioning that like Mr. O'Neil I've had a great deal of my time consumed in the area of helping constituents with their Workmen's Compensation problems. However, at this time I would like to mention I'm very appreciative of the attention to the problems that I bring forth to the board and the attention that the chairman gives these problems. On a couple of occasions I've been able to meet with the chairman over at his office at 2 Bloor Street East. We've sat down and talked over some of the problems that I've encountered and I'm quite pleased with his open-door policy. With all due respect to the chairman, I believe he's trying very hard. I don't think he has all the mechanisms or the right philosophies to make the board operate better, but as a person I think he's trying very hard. I just wanted to get that on to the record.

Mr. Ziemba: It won't do you one bit of good.

Mr. Mancini: Why would you want to say something like that?

Mr. Chairman: Order, please. Mr. Mancini.

Mr. Mancini: It's just incredible.

I was just speaking about some of the constituents who have Workmen's Compensation problems and who have come to me for assistance and also to Mr. O'Neil from Quinte and to many other of my colleagues. I've got to believe that these injured workers come to the MPPs because they're confused about the system or they're afraid or possibly the most important thing is they just cannot wait any longer because of their finances. I've had many injured workmen come and ask me for their help because they are on the verge of welfare.

I'd like to mention an example of some of the problems we're having with getting these injured workmen money. This fellow was ready to go to the hospital the next day to have a shoulder operation. The people at the welfare office said "We can't give you any money because we need to take a physical." He couldn't get any money out of the board, so it took about two or three days to help this poor individual to get some money to pay his rent, et cetera.

I would think more communication between your office and some of the social services departments—ours is run by the county of Essex—would help some of these injured

workmen. If a person is going into hospital for an operation, it's almost ridiculous for the social services department to ask for a physical. This brings up a major bone of contention. It just takes too long for the worker to find out if he is going to get any money.

At this time I'd like to read into the record one of my more exciting cases. This is a letter I've written to Michael Starr, dated November 2, 1976. I'll call my constituent A.L. His claim number is 10829187. The letter says: "Mr. L was hurt at work on August 16, 1976. His right hand was injured when a 30-pound weight fell on it. At 3 p.m. on August 16, he went to the nurse's office at the Allied Chemical plant, where he was told that the nurse would like to see him the next morning.

"On the morning of August 17, he was told to see a doctor at the Amherstburg Medical Centre. At 9:30 a.m. he saw Dr. Cox, who had Mr. L's hand x-rayed and put in a cast. Mr. L returned to Allied Chemical around 2:30 p.m. and he and John Brown, the union representative, went to see the nurse and filled out an accident report. The nurse then sent Mr. L home.

"Later that evening a safety representative for Allied Chemical, called Mr. L to see if he would be at work in the morning. Mr. L replied that as his hand was extremely painful, he would not be at work in the morning. The safety representative was very congenial over the telephone and said that this decision was all right with him.

"From that date until September 27, Mr. L heard no more from the company, nor from the Workmen's Compensation Board. He received only one cheque from the board which covered the period August 17 to August 25. I have received a photostat from Mr. L of a return-to-work slip on September 30. This he did. However, the board now say that they have information that Mr. L was told by his doctor to return to work, which Mr. L denies and the board is seeking a refund of the cheque he has been given.

"You may also wish to know that during the time he was off work due to his injury, he was receiving no money. He asked for a week's vacation from September 21 to September 28 in order to keep up his household obligations." Here's a man who had to ask for a week's vacation from the company so he could get some money.

"I think Mr. L has been put in a very unfair position by the company and the board. I would ask that you please look into this situation and assist Mr. L."

Then I enclosed copies from his doctor's office and a slip which the company had given Mr. L, saying he could return to work for light-duty employment.

I did receive some action from your office, Mr. Starr; you did say you would look into this particular case, but now we are into the middle of December, and almost before Christmas, and the man hasn't got any money. His hand was in a cast, and I wonder if you would look into this particular case and see if you can get it straightened out. That's the type of thing that happens and we have to start calling the social services offices around the county and other places. If there's anything you can do to force the companies or the people at the board to speed these up somewhat, I think it would help a lot of us.

Also, I think I should mention that when a person has worked for a long period of time, and he has built up some standard of living, it really wrecks his morale when you have to call the social services department to help him out with his bills.

Another area where I don't agree with your policy is the area of how you judge people as unfit to work. You assign to them a certain percentage and I just cannot understand how this is so. Today we have a person who is working and he is drawing a full wage; tomorrow he is injured on the job and he is not drawing any wage at all. You give him a temporary 100 per cent disability benefit, and after a certain amount of time he is cut down. Where is the philosophy or the principle that could prove to the board, or how do you stand up behind this philosophy, that after a certain amount of time he's ready to go back to work or that he can get this type of job when you know darned well that the employers aren't hiring injured workers and they're not going to until the Minister of Labour makes legislation that this be done—and it should be done; I think the Ontario government should be the first people to start hiring injured workmen.

I would just like your comments on that. How do you rationalize this approach? If he was working last week and he's hurt on the job this week, he gets a 100 per cent benefit; then, after a while, he's not 100 per cent any more but rather he's 50 per cent disabled, or 30 per cent. We just can't understand that. If you would just take time to explain—

Mr. Starr: Yes. I wonder—are you finished?

Mr. Mancini: I am just stopping so you can answer.

Mr. Starr: Mr. Chairman, with your permission and the committee members' permission, I would ask Mr. Kerr to deal with this aspect.

Mr. Chairman: Mr. Kerr, would you take a microphone please?

Mr. Kerr: Dealing with your comments concerning the man who is receiving full compensation one day and the next day is cut down to 50 per cent, this is not the way we operate now, Mr. Mancini. There was an amendment to the Act on July 1, 1974, which gave the board the authority and the right to continue full compensation under certain circumstances when the man has been declared fit for a temporary partial disability.

Prior to that date, what you said is quite right. The board had to have regard for the medical reports that said the man was partially disabled and he was only entitled to partial disability. But under section 41(b) of the Act, which is the reference, we can now continue to pay full compensation even though he is not temporarily totally disabled. This was done. I have a record here of January 1 of this year to July 2 of this year, where we had 1,689 claims in which we were able to provide that kind of further assistance as full compensation.

Our practice is that when we have a medical report that says this man is now fit for modified employment or, using the term that nobody likes, "light work," what we do is we contact the employer to let the employer know that this man has now been considered by his doctor to be fit for modified or suitable employment, would you please contact him and see if you can provide suitable employment? We also get in touch with the injured person and say that the medical information on file indicates just what I have said and we would suggest that you get in touch with your employer to see if suitable employment can be provided.

We also advise them both of the terms of the Act that says the man must co-operate with the Board in some kind of rehabilitation or return to work programme to qualify for this additional assistance. This is the way we are working it now, and where the man is having difficulty, if the employer can't provide him with suitable employment for his condition, we then refer it to the vocational rehabilitation branch for assistance and in the meantime we continue to pay full compensation.

Mr. Mancini: Maybe my particular cases have been judged wrong, if that's what you say.

Mrs. Campbell: You only came in here last September, didn't you?

Mr. Kerr: That's right.

Mrs. Campbell: So the amendments were in effect.

Mr. Kerr: I appreciate this opportunity to clarify it for you, because we don't seem to have that problem now as much as we did years ago, prior to the amendment of the Act.

Mr. Mancini: I still see the problem.

Mr. Kerr: We do reach the stage sometimes where it's judged that the man is no longer co-operating in the return-to-work programme and, if that is the indication to us from our own vocational rehabilitation counsellor, then we have to consider reducing compensation, and it is a 50 per cent basis then. That doesn't happen frequently but it does happen on occasion.

Mr. Mancini: What about the school bus driver or the steel worker who gets injured and is given the 100 per cent disability after the claim is approved and then, after a period of time it's reduced? I think you give them a period of time before you reduce their claim, isn't that what you said?

Mr. Kerr: No. There's no limit, as long as he is co-operating with the vocational rehabilitation branch in a back-to-work programme—which could be retraining, it could be that he with the assistance of the vocational rehabilitation counsellor is trying to seek proper employment suitable to his condition—then we would continue during that period of time full compensation. There's no limit, such as six months and cut him off. It varies in cases.

Mr. Mancini: Okay. Tell me this then, what would you do—and this is my first workmen's compensation case and we are still working on it—with the steel worker who has severely injured his back, can't sit down for a long length of time, can't stand up for a long length of time, has problems with his water, and he's now been pensioned off at 40 per cent? That's why I'm disputing what you're telling me.

[4:15]

Mr. Kerr: Well, if you will just pause for a moment—this is why we like to have a microphone over here—I can give you a few statistics on that. This was also a point brought up by a previous speaker. We can probably handle them both at the same time.

I talked about the continuation of full compensation when a man was temporarily totally disabled, and temporarily partially disabled, and entitled to full compensation under the circumstances we described. Now you have moved into a situation where a man is permanently disabled. He has a permanent partial disability and using your example, you said, 40 per cent, I believe. Under those circumstances, he has his 40 per cent clinical disability rating to which he's entitled, by the way.

Mr. Mancini: For two years; then it's reviewed again.

Mr. Kerr: All right, if we may just put that to one side for a moment so that we won't get too confused. He has a 40 per cent pension either for life or for a period of time in review, but he has his 40 per cent pension. If he is co-operating with the vocational rehabilitation people under section 42(5) of the Act, we can pay a supplement to his pension award.

As a matter of fact, this tendency has developed quite rapidly over the last few years. In 1971 we only granted 231 such supplementary awards to pensions. Last year, out of 4,600 and some odd pensions, we granted special supplements in 832—I'm sorry, 1,006.

Mr. Mancini: What are the criteria for the supplements?

Mr. Kerr: These are supplementary awards, over and above the pension for a limited period of time in review to assist him in the further rehabilitation process, as long as he is co-operating in a back-to-work programme of some kind, which once again could be retraining or it could be just trying to find suitable employment.

This year, to October 31, of the pensions that we've provided, which is in the realm of 4,500, we have awarded 1,592—almost 1,600—such supplements to pensions, which is roughly about 35 per cent of the pensions awarded the clinical disability rating to which Mr. Lupusella referred.

We have these supplementary awards; they are paid for a limited period of time and reviewed. The idea is to assist him in his further rehabilitation. Even though he is past the temporary disability stage, he is now permanently partially disabled. But rather than just drop him off where he's receiving full compensation, if he meets the requirements that I have specified, then we can put him on this supplementary which is of some assistance to him.

Mr. Mancini: Do you feel that there are some people who possibly can't be rehabilitated? You make it sound so easy: "Well, we'll give him the insurance for a while, then we'll cut him down. Then we'll give him a supplementary and then we'll rehabilitate him." Well, it's not so easy.

Mr. Kerr: In this instance we haven't cut him down. In actuality, where we were supplementing him during the period of temporary partial disability, we are now supplementing him during the period of permanent partial disability. You're quite right, it is not always easy. I am not the rehabilitation man, but it certainly is not always easy to rehabilitate some of these people. This is why the supplementary awards are being used to greater degree these days, recognizing that there are problems which we together must face.

Mr. Mackenzie: Could I ask a question on that?

Mr. Kerr: Sure.

Mr. Mackenzie: If you are now, this year, up to 1,592 out of 4,500, or as you say, 35 per cent or thereabouts, isn't it also a possibility that your original awards are just too low, and there needs to be a look at that? We now have to supplement better than a third of them.

Mr. Kerr: That could be one way of looking at it. We think that our permanent disability awards in the schedule for the clinical disability ratings are in line. They are certainly in line with the awards—that is, the percentage awards—given by other compensation boards across Canada. And they are reviewed frequently by our medical people in concert with the medical folks of the other provincial boards.

I must say, too, that these awards are given even where there is no wage loss. You would be surprised at the number of comments we receive from certain sources to the effect that an injured person shouldn't receive a permanent disability award when there is no wage loss at work. But the Act makes it possible for that man to receive a full clinical disability rating even though there is no wage loss. So with section 42(5) of the Act enabling us to give greater supplementary awards, we find that is helpful.

I am not too sure if that answers your question directly but this is the way we deal with it. Of course, in times of high unemployment we run into problems and more people are helped by those supplementary awards.

Mr. Laughren: It's hard to do that as a favour, Mr. Kerr.

Mr. Kerr: I don't think it's a favour, Mr. Laughren. It's his right under the Act, sir.

Mr. Mancini: I am not quite finished.

Mr. Chairman: Mr. Mancini.

Mr. Mancini: Do you ever foresee the day when a new system will take the place of this percentage-type system of judging a person's capability of working? Do you ever look at it in the context that last week he was capable of so many jobs which paid so much money and now because of his injury, which is permanent partial disability, all that sphere of work is now out of his reach and there are very few openings for him? Do you ever look at it that way?

Mr. Kerr: Yes, I think we do. That is exactly the way we look at it when we're considering these supplementary awards.

Mr. Mancini: Okay, where is the steelworker who made \$400, \$500 a week? He is pensioned off at 40 per cent—

Mr. Kerr: He fits right in. He qualifies for a supplementary award if he is co-operating in some kind of rehabilitation back-to-work programme.

Mr. Mancini: What type of job would you suggest?

Mr. Kerr: I don't know, sir, because what we have to do is know what his medical condition is at the present time; we have to know what his skills are; we must know what his aptitudes are.

Mr. Mancini: What if he is an immigrant and his language and education are poor?

Mr. Kerr: Perhaps I shouldn't be answering this question because rehabilitation is not my field.

Mr. Mancini: I see. Well then, get somebody here. You've got 25 people here.

Mr. Kerr: I would suggest you pose that question to the person representing the rehabilitation aspect.

Dr. McCracken: Would you like to put the question again, please?

Mr. Mancini: Yes, we were talking about the steelworker who was making so much money. Then, because of his injury, he has lost his capability to do these certain jobs. Then we were talking about the rehabilitation

and alternatives and openings. How do you expect him to make up the 60 per cent loss in pay that you have adjudicated him at?

Dr. McCracken: I can't speak to the dollar and cents matter of your question but when a person goes on a permanent disability pension, and the case you cited was 40 per cent, that means that he has a 40 per cent physical impairment from his injury.

Mr. Mancini: And he is an immigrant and his English and his language and his education are poor. Who is going to hire him?

Dr. McCracken: Having answered the first part, namely that the 40 per cent represents his degree of impairment in competing on the open labour market—in other words a whole man has a zero per cent disability.

Mr. Haggerty: That's if you use the word "impairment," correct?

Dr. McCracken: Yes, impairment.

Mr. Haggerty: But you don't do it, though.

Dr. McCracken: From the medical standpoint, it is—

Mr. R. S. Smith: That's not the criterion you use.

Dr. McCracken: Yes, it is. From the medical examination standpoint, it is based upon degree of impairment. Having established that, then the pension is worked out, and the pension takes into consideration the socio-economic factors. The question you asked had to do with retraining, what could he do to make up his lost wages? As Mr. Kerr pointed out, this depends upon quite a number of things; namely, what are his capabilities? You say that he has restrictions due to his basic training.

Mr. Mancini: Like many thousands of other workers in Ontario.

Dr. McCracken: Correct.

Mr. Mancini: Many thousands.

Dr. McCracken: And the vocational rehabilitation branch and the rehabilitation counsellors deal with these people every day of the week, so it's not a new or unique situation.

Mrs. Campbell: "Deal with them"—that's a very good expression.

Dr. McCracken: Deal with their case. In the course of doing this the name of the game is to fit them back into the work en-

vironment, the job that they can do—the correct place at the correct time in the correct geographical location. Now in order to do this, they require certain retraining programmes, some of them. Some of them, they find a job position that they can handle, depending upon their degree of impairment; hands, back—

Mr. Mancini: Do you have any figures on the number of people, say in the last couple of years, who have been pensioned off as having partially permanent disability and how many of them have been able to get supplement jobs?

Dr. McCracken: The number of pensions for 1975—the number of cases pensioned—was 10,000 in round figures.

Mr. Mancini: How many of the 10,000 got jobs?

Dr. McCracken: I believe that question was put at the previous meeting of the committee and the figure that was arrived at at that time was that there were 500 and some-odd in that group that did not.

Mr. Mancini: Five hundred out of 10,000?

Dr. McCracken: That is correct.

Hon. B. Stephenson: Who had or had not?

Dr. McCracken: Who had not been able to be placed in some type of work activity.

Mr. Mancini: So you're telling me 9,500 people out of the 10,000 were able to get jobs?

Dr. McCracken: Yes, that is correct.

Hon. B. Stephenson: In fact, most of them go back to the jobs from which they came.

Mr. R. S. Smith: How many of those at the 40 per cent clinical level were able to get jobs?

Dr. McCracken: I'm afraid I can't answer that question. It's obvious as you go to the higher levels that these are the ones who are becoming more and more difficult to place; true enough.

Mr. Mancini: He asked the question right. That's very good, Mr. Smith. I'll tell you, the only way we are going to solve this problem as far as people who have been adjudged as 30 or 40 per cent capable of doing the work they used to do before their injuries, is for your ministry to urge the government of Ontario to hire injured workers, to start a very forceful programme and to

encourage industry to hire them and to set a quota for them. I know you don't like the quota system because you say you don't like to restrict people, but since they're not doing that much maybe we should start out with a quota system.

Hon. B. Stephenson: There are a certain number of industries in the province of Ontario which have co-operated very diligently with the Workmen's Compensation Board in programmes of hiring injured workers.

Mr. Mancini: I'm sure I don't have all the odd cases, and many of the cases that I'm handling are these people. They are told to retrain, and I just want the minister to know that they're judged 30, 40 and 50 per cent unable to work, and they are asked to retrain and there's just no market for them.

I am sure you see this every day. I don't think I'm bringing up something that's abstract. I mean if a person is judged eight or 10 per cent incapable of work, sure he is going to go back to his old job and they're going to give him a "light" job to do.

Hon. B. Stephenson: But in most instances they go back to the same job which they left. Have you visited the rehabilitation programme? It is really quite encouraging to see the amount of co-operation which the injured workers are providing to the programme in terms of developing increased language skills and increased capabilities in certain types of occupations which are somewhat different from their previous occupations. I think our difficulty at the moment is to ensure that there will be adequate places for them once they have accomplished the rehabilitation programme.

Mr. Mancini: What are you going to say about that?

[4:30]

Hon. B. Stephenson: We have, in fact, specifically begun, last week in the Ministry of Labour, a pilot project for the hiring of the handicapped which is to encompass the hiring of injured workmen as well. We are hoping that as a result of an educational programme in the ministry we will be able to change some of the attitudes within our ministry specifically, regarding the hiring of handicapped individuals; we are specifically looking for handicapped individuals for certain kinds of jobs.

The civil service of the province of Ontario has begun the same kind of pro-

gramme, but ours is a specific pilot project to demonstrate that this can be done profitably for both the injured individual and the agency involved. I firmly believe that the major problem in the area of rehiring people who have permanent disabilities of any sort is the attitude of those with whom they will work, or the attitude of the people who will hire them. I think we have always, as a society, rejected, basically, the individual who has any kind of physical handicap or any other kind of handicap.

Mr. Haggerty: You could use some injured workers to operate elevators at the Bloor Street East office to speed things up there.

Hon. B. Stephenson: They're reasonably automatic elevators.

What we want to do is improve the attitudes of employers and we felt the best way to do that was to take the lead ourselves in order to try to change attitudes within our own ministry, to hire specifically handicapped people, and to find out what kinds of mechanisms we can use to modify those attitudes so that we can demonstrate to other people—

Mrs. Campbell: How can you do all that in the private field when you have a question of assessment? Are you bringing into play something in the nature of your blind programme—the \$10,000 to assist in the employment of the blind in your ministry? Is that part of your project?

Hon. B. Stephenson: Well, certainly—

Mrs. Campbell: You will compensate, rather than the employer, if that is necessary?

Hon. B. Stephenson: That is not a part of our specific project at the moment. That may be a part of it in the future, I don't know. But as I said—

Mrs. Campbell: The \$10,000 isn't very much.

Hon. B. Stephenson: I agree with that, but we have had a specific communication from BOOST for example who are concerned that perhaps we are not considering seriously the hiring of individuals with impaired eyesight.

Mrs. Campbell: BOOST has been very active.

Hon. B. Stephenson: Yes. This is something, I must admit, we haven't looked at and which we are now beginning to look at. But we have our special programme which

I hope is going to demonstrate to all and sundry that indeed the hiring of the handicapped is good, not only for the employee but very good for the employer as well.

I do have some concern about setting quotas, because I am afraid of ghetto-izing individuals who have physical handicaps or other kinds of handicaps. The experience in other jurisdictions in which this has happened is not entirely favourable and I really do have some concern about that.

I believe the kind of action that we are beginning to take is one which has some promise. I hope I will be able to report successfully on it by the end of 1977. Indeed, we have not only managed to change attitudes, we have developed a system whereby we can help other employers to modify attitudes within their establishments, where we can assess changes of attitudes as a result of educational programmes and encourage the hiring of the handicapped.

Mr. Mancini: Have you any knowledge of how many workers you will hire?

Hon. B. Stephenson: I do not at the moment, no.

Mr. Mancini: A ballpark figure?

Hon. B. Stephenson: I don't even have a ballpark figure.

Mr. Mancini: I would like to bring to the Chairman's attention a brief dated September 13, 1976, that was submitted by the Disabled Workers of Ontario. I have had a chance to go through the brief. It's very lengthy; I think there are—yes, 31 points. I was wondering if the Chairman or the minister was considering this brief and if they had any opinion on some of the things that were said, like raising the temporary total disability benefits from 75 to 85 per cent and things like that. I was wondering if there was any discussion given to this brief, because I think it's worthy of it.

Hon. B. Stephenson: Yes, I think the Chairman met with the group after the brief was submitted to me—I trust that the group met with the Chairman of the Workmen's Compensation Board after we received the brief.

We did, in fact, examine the recommendations; and as you are aware I'm sure, in the spring of this year the joint consultative committee to the Workmen's Compensation Board was appointed and that entire brief was presented to that committee with the request that they examine the recommenda-

tions within the brief and make their report to the board.

Mr. Haggerty: They should have been reporting long ago, though.

Mr. Starr: Excuse me, Madam Minister. The briefs only came of recent vintage; this one in particular and others. There are quite a number of briefs and suggestions from both sides. Not only did we hear them and refer to the consultative committee, but they had the opportunity of appearing before that consultative committee to go over the whole brief again, as are the others who are making suggestions. At the moment the consultative committee, having heard them, is considering all of the suggestions that have been made to it from various other bodies also. Hopefully they will bring forward some recommendations.

Mr. Mancini: Do you think we'll have them for the spring session of the Legislature?

Hon. B. Stephenson: I would think so.

Mr. Mancini: Okay, very good.

Mr. Haggerty: The election promise?

Hon. B. Stephenson: No, this is a function of that committee.

Mr. Mancini: Also, at least in the past, injured workers have received raises in their benefits in June or July. This past year we have not had these increases. The Chairman has stated that because of inflation and because of the increase in the number of injured workers, the board is very hard-pressed for money. They had a 22 per cent increase last year to corporations and expect a 13 per cent increase this year and so on in future years.

Don't you think that the injured workers have suffered from inflation also, and don't you think that they possibly should also get an increase because of the inflation that you've talked about?

Mr. Starr: We have given a cost of living increment for the year 1974 of 10 per cent. Prior to 1974 we have given increases based on a formula which amounted to about 60 per cent in total; going back to 1942 in total about 60 per cent. But as was mentioned, all of this costs a great deal of money. I mentioned in my opening remarks that our payouts now are something around 27 per cent higher than last year.

Mr. Mancini: What are we going to do with the injured workers?

Mr. Starr: Most of them are going to the injured workers in one form or another.

Mrs. Campbell: Wouldn't it be a nice idea if you could perhaps have an injured worker as a commissioner?

Hon. B. Stephenson: Yes. It has been recommended that one of the members of the joint consultative committee might possibly represent that group specifically. That recommendation is being considered right at the moment, as a matter of fact. There are on that consultative committee, I might add, representatives of trade unions, of industry, as well as citizens who have no relationship, if you like, to the kind of activities in which the Workmen's Compensation Board would usually function. Philip Hepworth is a member of the committee as well.

Mr. Mancini: So what the Chairman is telling us is that we can't expect an increase similar to what we saw in June or July of 1975. Is that what you're telling us?

Mr. Starr: What I am saying is that we're expecting to have some recommendations from that joint consultative committee some time in January of this year, that is in about a month's time. From there it will—

Mr. Mancini: If you're working with these things every day I believe that you should know if we're going to have the increase or not. I think you should know that.

Mr. Starr: I don't know what the recommendations are going to be.

Mr. Haggerty: I imagine they'll be in line with the Anti-Inflation Board programme.

Mr. Starr: I don't think we have any jurisdiction over this.

Mr. Mancini: Just a couple of other things, if I may continue: It seems that when a person becomes injured he loses some of his rights—

Interjections.

Mr. Chairman: Order, please. Mr. Mancini.

Mr. Mancini: We were just talking about the rights of the injured workers, and I believe that once a person becomes injured it seems that he loses some of these rights. Basically I'm talking about the unemployment insurance benefits and payments which stop, and the payments to Canada Pension

Plan which stop. Is there any reason for this? Is there any reason why we can't continue giving the worker his benefits?

Mr. Starr: It depends on The Unemployment Insurance Act, and it's under federal jurisdiction.

Mr. Mancini: Well as long as the premiums are being paid.

Mr. Starr: We're all concerned about this. When I say all I mean the various jurisdictions in Canada of the Workmen's Compensation Boards. We have made, all of us together, representations to the federal government to change the Act so that the injured worker may either have a suspended period while he is injured or some other form of contribution. To date we have not had any response.

Mr. Mancini: Well what about the Canada Pension Plan?

Mr. Starr: And the Canada Pension Plan also. The federal government has also a relationship to this.

Mr. Mancini: When did you make this recommendation?

Mr. Starr: Last year.

Mr. Haggerty: About three years you've been working on it. We haven't heard anything.

Hon. B. Stephenson: I think it's with some regularity, as a matter of fact.

Mrs. Campbell: The Chairman says you have to be patient in these things.

Mr. Mancini: Don't you think we should press for this a little harder?

Mr. Starr: Yes, we talked about the Canada Pension Plan.

Mr. Mancini: Also, it seems that many companies, when a person is injured for a length of time, they terminate his employment. Actually, I'd like to see—

Mr. Starr: I'm being corrected. There is some response now; an amendment has been made to The Unemployment Insurance Act, the period of suspension has been put into effect on a longer basis than it had been before.

Hon. B. Stephenson: But the problem of Canada Pension Plan has not yet been solved because—

Mr. Starr: No, not the Canada Pension Plan.

Mr. Mancini: Okay, fine. Just as long as you're working on this.

Mr. Starr: We're very much aware of it.

Mr. Mancini: Yes, okay. Also there is some practice in some companies to terminate an employee's job after he's been injured for a certain period of time. Don't you think we should not allow this?

Mr. Starr: I don't understand.

Hon. B. Stephenson: Well Mr. Mancini is saying that some employers terminate employees.

Mr. Starr: We have no jurisdiction on it.

Hon. B. Stephenson: This, unfortunately, does not come under the Workmen's Compensation Board, it comes under The Employment Standards Act. If it can be proven that the employer indeed has not dealt fairly with the employee then—

Mr. Mancini: Well I have a letter here, and I don't want to mention any names now because we don't know if it's legal—

Mr. Haggerty: You can use the name, they've got records of this.

Mr. Mancini: It says: "Mr. Stanley Kadwell 52 Homewood Ave., Port Colborne, Ont.

"Dear Mr. Kadwell: As you have now been absent from work for more than one year and have no firm date for returning to work we have terminated your employment as of June 30, 1976."

Hon. B. Stephenson: We can investigate that one if you'll give me that letter.

Mr. Mancini: I believe I was working on behalf of an injured nurse who had her employment terminated also, at the end of one year, for not being able to go back to work. I think this is terrible practice and it should stop. I think you as the minister should look into this and do whatever you can to stop this.

Hon. B. Stephenson: Well if you'll give me the specific examples we will investigate them.

Mr. Haggerty: I will see that you get the claim number.

Hon. B. Stephenson: It's not just the claim number I need. It's the company and the individual.

Mr. Haggerty: Well you'll get that.

Mr. Mancini: One other thing that I'd like to bring up and it was discussed and my colleague the member for Quinte (Mr. O'Neil) also brought this up, there was some conversation between him and the Chairman as to how to possibly improve the hearings.

I've had the opportunity to attend a hearing for a constituent at the board office at 2 Bloor Street East. I think maybe Mr. Hamilton was there—he's one of the commissioners? I believe so.

I think everything that Mr. O'Neil said was true; the atmosphere of the room and the type of feeling that I got. We were waiting outside and when we walked inside the commissioners were already there. They already had their documents in front of them. The room was all painted white and the curtains were drawn, there wasn't a picture on the wall. There were a couple of people sitting down, I think they were stenographers, and they were waiting for us.

We had the commissioners on one side, in three big black chairs; we were on the other side. That's the first thing I noticed when I walked in—you know; holy cow, we're really in for it or something like that.

[4:45]

I think the commissioners handle themselves all right, I'm not complaining about them. As far as the case being heard, I don't think there was anything irregular with the system that we have, but just the appearance of the room. If you want some suggestions on how to make these workers feel more comfortable, maybe you could draw the curtains and put some pictures up on the wall, and make everybody's chair the same and have us all go in together. I think maybe people would feel like a little more at ease.

Hon. B. Stephenson: Round tables that everybody can sit around.

Mr. Starr: We used to have flags.

Mr. Mancini: Pardon? Flags, no; we don't need any flags.

Mr. Starr: We used to have them. You see we did away with all this sort of thing.

Mr. Mancini: We're not asking—

Mr. Starr: It used to be quite formal before. Your suggestion is good and we should go along with it.

Mr. Mancini: Then I'll be looking forward to seeing the room the next time I go back. Thank you, Mr. Chairman.

Mr. Starr: What colour did you want the walls?

Mr. Chairman: We still have 25 minutes left, if my calculations are right. Mrs. Campbell.

Mrs. Campbell: Thank you, Mr. Chairman. I want to look at this from perhaps a different angle. I wish that the minister and the talent from the Workmen's Compensation Board could have been present to hear the former Chief Justice of this province as he discussed the matter of justice with the company law committee.

The member for Lakeshore (Mr. Lawlor) made the comment that we were approaching fairer justice, and the former Chief Justice said: "I am not interested in fairer justice, I am interested in justice."

One of the things which bothers me every time I've sat in listening to workmen's compensation has been the approach of the mathematical gyrations as they relate to a person's ability. I recognize that some of this is the fault of legislation, but there's that element of slotting people to fit into some kind of preconceived mold, and human beings don't really do that. I don't know, and I never will understand, how a person can be 10 per cent, 15 per cent, 40 per cent or anything else per cent unable to work when they can't work; they can't work as a result of their disability. How somebody can come up with this kind of figure and have any kind of conscience at the end of the day, I don't know.

One of the other problems I have is that in his statement in opening up the Chairman indicated, as I understood him, that things were so great now that people preferred to stay in the system rather than getting out of it. I guess I have the wrong people coming to me, because I think of a man who came to see me the other day. He is in receipt of \$80 a month compensation, he has a mother and two children to look after. He asked for commutation and was told, unofficially, because he's still awaiting an answer in interminable delay, that he would not get more than about \$489 and change. The suggestion, when he asked how he was to live, was well take another mortgage on your house. Which is an interesting kind of suggestion because obviously he can't take another mortgage; he can't pay the one he's got now and he can't pay his taxes.

We sit here and we talk about a person's ability to carry on a job. He can't work at his own trade. He can, he thinks, do some-

thing in the alternative; but of course the wisdom of the board is that he really doesn't know what he's doing and that he shouldn't seek commutation. In any event, if he does, that's all he's going to get. I think that turns out to be the cost to reinstate a licence in his trade. It's strange that it worked out like that.

It's easy, too, for the Chairman to talk about needing patience. I suppose if you are being paid \$45,000 a year or something in that neighbourhood, it's easy to be patient. It isn't so easy to be patient if you are on \$80 a month with a family to provide for. In this man's case, because of his condition and because I knew it would take me some time to work through the system, I had to phone ComSoc and try to make some arrangements because, again, his welfare had been cut off because of the lack of a decision in the commutation process by the Workmen's Compensation Board.

It sounds as though, from what has been said, it's probably a very unusual case. Frankly, it's not my experience that that kind of things is an unusual case. I would like to know—I would like to preface this remark by stating that I don't think there's anyone in this room who will object to increased administrative costs at the Workmen's Compensation Board if, as a result of that increase, there is an effective improvement in the treatment of the injured workmen. I have not seen that.

I have seen, since they have been in this new building, that we can't find files. I attended the other day at an appeals examiner matter when it was brought out that a decision had been made in a particular case—it was the case of a nurse and they get short shrift from this board in my experience—but the situation was that there was a statement from the doctor of the board, the decision was made and she had never seen the doctor's report on this patient. I don't understand it. I think it's another case of slotting people in set spaces.

I would like to know in precise terms how many commissioners we have at head office and what the increase is since this new administration took effect. I would like to know the commissioners at both levels and I would like the salaries at both levels if I could get those.

Mr. Starr: We will get them for you. When do you want them?

Mrs. Campbell: Now.

Mr. Starr: Today? Now?

Mrs. Campbell: Surely you have that at your fingertips? You are the Chairman of the board. You know how many commissioners there were before; how many there are now in both categories.

Mr. Starr: We will get it for you in just—

Mrs. Campbell: You will get it for me; right. I understand you have also restored the perquisites of limousines and the rest. Is that correct?

Mr. Starr: The what?

Mrs. Campbell: The limousines and the cars.

Mr. Starr: I haven't seen any limousines.

Mrs. Campbell: Are there cars provided?

Mr. Starr: Yes.

Mrs. Campbell: Yes. You have restored that perquisite of office.

Mr. Starr: No. There used to be a fleet of about 250 cars and there are only about 130 now.

Mrs. Campbell: I am talking about for commissioners.

Mr. Starr: For commissioners? Each one has a car at his disposal, the commissioners of appeal.

Mrs. Campbell: Do you find that has improved the service to the injured worker?

Mr. Yakabuski: I thought you got rid of all those limousines—

Mr. Chairman: Order, please.

Mrs. Campbell: I think this is what I see when I go over there and I have been over there more than once. I don't go many times because I usually advise the people I see to go to someone who is active almost daily in the field, but I have been over there. I have been there when I have seen the appeals examiner and I have been in the room. It's a small room, as you say, and the attitude has been—well I guess you can't say it's an adversary attitude but it is very close to it. It is very stiff. It's very unyielding.

I feel very strongly about this whole area because, so help me, in all my years in public life this has been the area where I have been totally unable to understand the kind of philosophy that pervades something like this.

Dr. Godfrey is here and I am waiting to hear what he says and how he assesses a person at 10 per cent, 40 per cent or whatever when they can't work, and certainly can't work at the job they were doing.

Rehabilitation, in the case I've had, has not been a very successful thing. I've taken this up with this board before and I've given up on it because I haven't seen the effect of it. No doubt it's partly because I see the ones which fail but it certainly isn't just one or two cases over the years; it's been many cases.

I wonder why we have built into this system the provision of the worker and his responsibility to co-operate. There isn't really a built-in responsibility for the employer to co-operate. There is a kind of a begging, a pleading, a something, but nothing more than that even when the conditions in the plant have been rather bad.

My friend and colleague talked about the matter of the discharge of people by reason of injury, and we are going to look into it. I don't know how many cases you have of registered nurses who fall into exactly that category. I wonder what kind of a look there is at such a case.

The critic for the NDP has taken all the credit for any kind of improvements there have been. We have looked at the matter of The Employment Standards Act and I wonder if, in view of the situations with these injured nurses, we might also look at the problems of the public health nurses in the city of Toronto in the event of injury to them.

When you start out with the fact that CUPE and management seem to take it upon themselves to ensure that a registered nurse, who has to have all of that training, is worth \$13,000 to \$15,000 a year while the male lay inspectors get 16,000 to \$17,000, I wonder what kind of philosophy there is within the unions in dealing not only with injured workers but with women who are injured. I haven't seen activity in that area and I would love to know that they are active in that area.

There is no question in my mind that there has to be a real review of the work place and the way in which work methods have changed, particularly in the hospital field. It's really almost impossible these days, with the working conditions of registered nurses, to establish the fact that there has been an injury on the job because the reporting system is almost nil in some cases.

These are all matters which I think have to be looked into. I could go on with case after case too, but I don't intend to; I intend to stop right now. I want to tell you that until we change our philosophy and we look at people as whole people who have been damaged in the work place and really come up with an understanding of what they and their families go through, we are just playing games in this kind of a hearing.

[5:00]

It's an abomination to me to face these people and say: "I'll get you on welfare as fast as I can until maybe we can sort out these problems." It has to stop. We have to understand that these people have a right to work if they can; that they have a right to live when they have been so injured; and all this talk about slotting them in just drives me out of my mind. Because I face them and I face their families. I face them as a lawyer, I face them in my practice, I face them at the city, and I'm still facing them.

I don't find, with the greatest respect, that there has been that much improvement as a result of the task force report. I really can't find that improvement. When you get letters back, or when the people who come to see you say: "Look they can't find my file." I never ran into that before; they at least knew where the file was even if they weren't appropriately dealing with it, now half the time they can't find a file. I think it gets lost in the elevators somehow or other.

I can't say anything further about it, but I implore the minister to look really hard at the philosophy of this thing, really hard; or let's get into the Workmen's Compensation Board in these positions people who have been through the mill and have some understanding of what it's all about to lose, overnight, your ability to earn for your family and then to be relegated to interminable waits, reviews and welfare. Thank you Mr. Chairman.

Hon. B. Stephenson: I would simply say that I feel just as strongly as the member for St. George does, having spent some 30 years looking after those who were injured and their families as well.

Mrs. Campbell: That's why I appeal to you Madam Minister.

Hon. B. Stephenson: Indeed I think certain members of the board are aware of the concern in this area.

Mr. Lupusella: Mr. Chairman, by way of supplementary comment, if I can just follow up what the hon. member has said: The Ministry of Labour—

Mr. Yakabuski: On a point of order Mr. Chairman: Maybe I did not fully understand, but I understood there was an agreement that the official opposition would have X amount of time, followed by the other party.

Mr. Chairman: Right.

Mr. Yakabuski: And then there is still another party in the House, I thought they would follow the Liberal Party and that there would be ample opportunity, as we go through these estimates or whatever, for supplementary questions or for specific questions. In view of that Mr. Chairman, I feel that it's now time that that other party in the House perhaps be heard from.

Mr. Chairman: You have the floor, Mr. Yakabuski.

Mr. Yakabuski: Thank you, Mr. Chairman. I've listened with great interest for some hours today, I wasn't able to be present because of other duties for the entire presentation made by the official critic for the New Democratic Party, the member for Dovercourt; the official critic for the Liberals, the member for Quinte, and of course supported by other members of his party.

I would have to say, Mr. Chairman, at the outset, that I was quite impressed in a certain way by some of the information that was brought before the committee today, especially that given by the member for Quinte because I feel it was constructive and very useful to all present.

I couldn't help but have my mind race back when the member for—St. George is it?

Mrs. Campbell: Yes, sir.

Mr. Yakabuski: When the member for St. George mentioned something about limousines, my mind raced back immediately to a boy of 13, in 1934 when Mitch Hepburn took over the government and had a big auction up in Varsity Stadium where he sold all the so-called limousines, got a hell of a lot of publicity and bought bigger ones.

Mr. Sweeney: What's that got to do with the Workmen's Compensation Board?

Mr. Yakabuski: We were talking about limousines. The hon. member for St. George asked about limousines and I was just reminiscing.

Mr. Sweeney: That's why this government doesn't do anything. All they do is reminisce.

Mr. Yakabuski: Anyway we are doing a lot more than reminiscing.

I mentioned that I thought the member for Quinte made a very admirable presentation this afternoon. I heard it all and I think he did his party and the province justice.

But I wanted to say that I had the—I don't know if it was a privilege or a misfortune—of being chairman of a committee some four and a half to five years ago, that was charged with the responsibility of looking into the workings and the activities of the Workmen's Compensation Board. We sat from late March in 1972 until late June; and when I say sat, I want to tell you that we sat almost daily and nightly. We came up with what we felt was a very comprehensive report containing many recommendations and so on. I think the member for Cochrane South (Mr. Ferrier) was on that committee and I think he well remembers the number of hours that were put into sittings at that time.

I don't think the coin looks that much different today when we hear the presentations being made by various members of various parties. But I don't think that that is actually so; my view differs somewhat. I think after those hearings were completed and the report came down, that there was a complete overhaul of the Workmen's Compensation Board in late 1972.

We all know the chairman was replaced. We all know that various other actions were taken to make it perhaps more humane, make their approach more humane, to do various things that would be beneficial to the injured workmen. I have to say in all honesty, Mr. Chairman, that I think many and most of these have taken place.

As a matter of fact, I think we are all aware that the Workmen's Compensation Board has become more sensitive to the needs of injured workmen. Mind you there are those in our society who feel that maybe the pendulum may have even swung too far. I am saying there are those, I am not saying that. There are those in our society who feel that we may have even swung the pendulum too far; that we have overreacted and that in some instance we have become overly sensitive to the needs of injured workmen.

Now I don't really share that opinion, but I have been representing constituents at appeal board hearings for some 13 years

and I want to tell you this: There are always two sides to a coin. I have gone into hearings with a constituent where I have had access to the file, I have studied all the material, and after some experience I come to the conclusion that the claimant may not have a case.

Now this is the surprising thing. I don't say I guess right or assume right or know all, but the surprising thing is that in many instances the appeal board does rule in favour of that claimant. I have gone to appeal board hearings with other claimants, constituents usually, where I feel the claimant certainly has some justification to take it to the appeal board; and there has been a number of occasions when I've been disappointed, I've felt the claimant did have a case and the ruling of the appeal board was that their decision of such a date will stand. I wanted to bring out both sides because I think it's most important.

Now I think the hon. member for St. George has mentioned something about losing files. I'm not here to defend the minister.

Mr. Lupusella: That's what you are doing.

Mr. Yakabuski: The hon. Minister of Labour is one of the most capable members of that Legislature and most capable of defending herself here or in the House or anywhere else. I'm not here to defend her, but I want to bring out certain facts that I think should be brought out before a committee like this, because when you are saddled with listening to one side of the story or looking at one side of the coin for an entire day or more, I think it's time perhaps that some of the other facets are brought in and that's what I intend to do here this afternoon.

The member for St. George has mentioned the loss of a file or files. I am remotely associated with a very small, struggling hardware business in very rural Ontario—

Mr. Ferrier: Struggling?

Mr. Yakabuski: —and even in that small operation, with a very efficient daughter in charge of the office, very often a file is lost, most often. When we're dealing with an immense operation like the Workmen's Compensation Board, I think it's a—

Mrs. Campbell: It's a frequent problem though.

Mr. Yakabuski: —it's quite possible, but I want to point out that it's humans dealing with human problems, and as long as we have that we are always going to have such

things as the loss of a file or something like that.

Mr. Ferrier: It occurs with too much frequency though.

Mrs. Campbell: Yes.

Mr. Yakabuski: To hear the members from the official opposition and the other party, you would think that they are the only people in this province who have concern for the injured workman, and I want to make it emphatically clear that that is not so.

Mrs. Campbell: Mr. Chairman, on a point of order—

Mr. Yakabuski: Every member that sits on our benches—

Mrs. Campbell: —I conceded the minister's concern.

Mr. Yakabuski:—has as much concern for the welfare of the injured workman as those who sit on the other benches representing other parties, and I want to make that crystal clear.

Mr. Ferrier: Methinks you protest too much.

Mr. Lupusella: In 32 years, the Progressive Conservative Party—

Mr. Yakabuski: You had the floor all morning and I didn't interject; I wish that you would afford me that courtesy at this time.

Mr. Lupusella: Well I hope you're going to be very close to the reality.

Mr. Yakabuski: I gave you the floor and didn't interrupt, just afford me the same courtesy now.

Mr. Lupusella: I feel offended by what you are saying.

Mr. Yakabuski: Don't feel offended. I felt offended when I heard some of your remarks too.

Mr. Lupusella: Because we have the cases here.

Mr. Chairman: Order please. Continue, Mr. Yakabuski.

Mr. Lupusella: Which nobody can deny.

Mr. Yakabuski: We're talking about improvements at the Workmen's Compensation Board and I think this is absolutely correct.

We should be talking about improvements at the Workmen's Compensation Board as we talk about improvements in any other area of the government or anything else it's concerned with. Mind you, we are sitting here in 1976 talking about improvements in the Workmen's Compensation Board, and don't think in the days of the union government in 1921 that they weren't talking about improvements at the Workmen's Compensation Board; and don't think that those who come after us, some 60 years hence, won't sit around tables like this, or perhaps in some other environment, and still be talking about improvements, because I don't think any system is ever that perfect that there is not room for improvements.

[5:15]

Now I am wondering if there is any system in the world as bad as some of you may try to intimate the Workmen's Compensation Board of Ontario is, and the personnel who operate it are. I am wondering if anyone can tell me of a better system in this country or in the western or eastern worlds, or in the emerging nations for that matter.

Mrs. Campbell: There's always the moon and Mars.

Mr. Lupusella: That's why we have so many accidents here.

Mr. Yakabuski: But is there a better system for dealing with the industrial or the work accident victim anywhere on the globe today, than there is in the province of Ontario? I don't think any of you can come up with an example, and concretely prove to this committee or anyone else that you could.

I don't say these boys are all lily-white. I've fought with many of them. I know Mr. Starr and he gets hell from me many days. So does his colleague sitting next to him; so does Mr. Decker, so does Mr. Hamilton. Many other people employed by the Workmen's Compensation Board have heard my loud voice over the telephone or have had occasion to read my mail when I go to bat for a claimant.

I don't say they're lily-white, I don't say they're incapable of error; but I do say that in my opinion they are the most capable people we have in the province, or perhaps elsewhere. They are doing a fantastic job and I think they deserve tremendous credit.

Mr. Ferrier: You are almost saying they're the next thing to Saint Paul.

Mr. Yakabuski: Mind you, I don't say there isn't room for improvements. There are

many cases, the member for St. George, the member for Quinte, the member for Dovercourt or anyone can bring a number of cases before this committee or to the board. We all have them. Perhaps in the highly-industrialized areas the number of cases coming before an individual member will magnify; certainly it should and it does, I guess.

But we all have cases. I'm trying to make the point that not in every instance is the claimant right, not in every instance. I have had occasion, in my constituency, to talk to the claimant at great length and on many occasions further discuss his disability with his local doctor, discuss it again with friends of his, discuss it again perhaps with his employer. Sometimes—I hate to admit this—but sometimes I'm driven to the conclusion that the claimant does not have a case.

These are unfortunate instances, but this is the kind of society we live in. I'm not for one moment trying to say that the claims that appear before that board are not legitimate, because in almost all cases they are. But there are instances where they are not.

There are instances where, I have to say, unfortunately, that a very fine worker becomes injured. It's a very serious injury whereby he is drawing compensation for perhaps a year or maybe up to two or three years—legitimately, 100 per cent. Then, because of medical determinations, this may be reduced to 50 per cent. Then the claimant, for some reason, found that for 20 years he worked like hell, for the last three years he didn't have to put that foot on the floor at 6:30 in the morning, but he had a hell of a nice cheque coming in. These cases are isolated; I want to repeat that, and repeat it over again; these are isolated cases but they do happen. He comes to the conclusion there is an easier way of supporting the family than putting that big foot on the floor at 6 or 6:30 in the morning.

These things have happened and consequently, in the isolated case, we have some of those very difficult ones.

I should add that perhaps in the man's or the woman's own mind they do feel they're incapacitated but in the view of the highest and best medical advice and experts you can get they are not.

I put it to you that these are some of the most difficult cases this board has to deal with. I wouldn't doubt for one moment that some of the cases being referred to, maybe even today, are similar cases. I have to say there are two sides to the coin—I've lived with both—but as long as I am a member of the Legislature I will not sit here and allow only one side to be presented.

I think this board, as I said and I'm going to repeat it, had a complete overhaul less than five years ago. They have taken various new steps in the best interests of the injured workmen of this province. Sure I know we haven't gone all the way or they haven't gone all the way, and I've said that 60 years from now we'll still be talking about the same thing; but they're doing a remarkable job. There is room for improvement but when these meetings conclude, I'm sure the members of the board and those associated with the Workmen's Compensation Board of Ontario will be cognizant of all the remarks made here today, tomorrow and whenever, and that additional steps will be taken in the interests of the injured workmen of Ontario.

Mr. McCague: Mr. Chairman, Madam Minister and the other Mr. Chairman, I'm sure it's true that every member of this Legislature is very anxious to help somebody who is experiencing problems with the Workmen's Compensation Board. I happen to represent a rural riding where, thank heavens, there aren't that many people who get injured. I guess it's because it's not a highly industrialized area but we do have some cases.

Another thing I would like to say is that, being a new member, I have had the opportunity to assist people with maybe speeding up their claims and I also inherited a few which were hanging around before I came here. In most cases, when I'm asked to visit them or when they have correspondence and I get in touch with the Workmen's Compensation Board, the problem is that they refuse to take rehabilitation. Either the nurse is too rough or it's too far to drive or, "I get claustrophobia in that place": all kinds of reasons. I would like to know, for my own information, what obligation is there on an injured workman to take rehabilitation?

Hon. B. Stephenson: Dr. McCracken, would you like to respond to that? I think there is no obligation on the part of the injured workman except his own best interest.

Mr. Lupusella: They are going to get punished by having their benefits cut.

Mr. Starr: Come on. That's the most ridiculous comment I've ever heard.

Mr. Chairman: Order, please.

Dr. McCracken: Mr. Chairman, to respond to that: First of all, I think we should clarify rehabilitation for the members here. I believe you are referring to the hospital and rehabilitation centre possibly. The hospital and rehabilitation centre is geared to de-

livering highly specialized clinical rehabilitation service. This is totally different from vocational rehabilitation, that is finding the correct job for that person with his disability.

First of all, I would like to say that so far as I am concerned no patient is forced to go to the hospital. It is recommended to the patient by our staff in approximately one-third of the cases. In over 50 per cent of the cases it is recommended to the patient by his family doctor or his attending surgeon. In the vast majority, over 50 per cent, the recommendation comes from the physician who has the responsibility to treat this person. He makes the recommendation to the patient that the patient should, in his best interest, go to the hospital to enter the rehabilitation programme.

Should a patient, upon arriving for instance, decide, for whatever reason, that he doesn't want to stay, that he doesn't want to enter the treatment programme, and he goes home, to my knowledge there has not been a single case, since I've been with the board from 1974, in which his benefits have been cut off as a result of stating that he wanted to go home.

I have told them at the hospital that, should a person want to leave the hospital for whatever reason—he's homesick; he feels he can't carry out the treatment programme; whatever the reasons—it is not justification, so far as I'm concerned, to cut off his compensation.

I believe that's what you were talking about, rather than vocational rehabilitation, but the same applies there. When a person is on a vocational rehabilitation programme but for some reason he can't complete the programme he is on, this does not jeopardize his compensation payments either.

Mr. McCague: Does it jeopardize a review of his case?

Dr. McCracken: I would say no, because when his case is reviewed it's reviewed on the basis of his disability—that is, his physical impairment—and it's reviewed as to where do we go next? What else can we do for this person which will try to resolve his problem? If he rejects treatment at the hospital and rehabilitation centre, what other facilities do we have available which we can offer him and he might accept? I don't think it enters into the equation at all; it shouldn't.

Mr. McCague: What are some of those other programmes?

Dr. McCracken: For the other programmes, of course, we have to go to what is available locally. If the person comes from

a distance away we have to see what facilities they have at the local hospitals; what facilities they have in the way of physiotherapy programmes. Occupational therapy programmes are limited throughout the province so usually we can't avail ourselves of that. We do have social workers' services available to us. We have our rehabilitation counsellors in the field who can make contact with this person and, in conjunction with his treating physician, can determine what his capabilities may be to try to get him back in the work force.

Mr. Kerr: Mr. Chairman, may I add something to the comments that Dr. McCracken made? Since the claims services division is responsible for the payment of compensation, I confirm what Dr. McCracken said about the man who does not wish to receive treatment at the centre or wishes to leave the centre. However, I would like to refer back to my previous comments so there is no misunderstanding on the part of the members of the committee.

When we do extend full compensation where the man is temporarily or partially disabled, or we pay a supplement to his pension under section 42(5), I stated earlier in the day that the man must co-operate in a vocational rehabilitation programme to qualify for those supplements. That does not mean that he has to be in a retraining programme. As long as he is co-operating in a back-to-work programme of some kind, which could even mean looking for work with the assistance of our rehabilitation counsellor, he is engaging in a back-to-work programme. I didn't want the committee members to misunderstand that to qualify under section 41(b) for the continuation of full compensation when he's temporarily partially disabled, that element of co-operation must be there.

It must also be there when we augment his pension with a supplement under section 42(5). Those are two examples of when the co-operation of the man in back-to-work programme, a rehabilitation programme, is essential.

[5:30]

Mr. McCague: What kind of percentage of the problem is the unwillingness to co-operate?

Mr. Kerr: I don't have any figures with me, Mr. McCague. I think it's very minimal. We have very few, to my knowledge, where we reduce the supplement because he is not co-operating. I think in Mr. Starr's com-

ments he mentioned about the period of compensation being longer; I think the reason for that is because we are continuing full compensation in these temporary partial disability cases, and quite legitimately so. I really don't have those statistics available.

Mr. McCague: I'd just like to comment on the atmosphere of the hearing offices. I agree with the comments that have been made, but I think the member for St. George would agree that she seldom has gone into a relaxed courtroom—

Mrs. Campbell: Oh, that's true, but I didn't know this was a courtroom I was going into.

Mr. McCague: You will understand my question as I go along a little further. I understand that it wouldn't be possible to exclude lawyers when a hearing or an appeal is being held?

Mr. Starr: Many lawyers represent claimants.

Mr. McCague: That's right.

Hon. B. Stephenson: Are you suggesting that they should be excluded?

Mr. McCague: There are quite a few here, I know, but in the interests of atmosphere it might be helpful. There's a rigidity that goes along with the presence of lawyers in any kind of an appeal, that I for one don't happen to agree with. In previous positions that I have held I have found that each time there was a lawyer present the hearings were more rigid. I've also advised a lot of my constituents that if they have problems with their municipality it's better that they go themselves and explain the case in a relaxed atmosphere. I have found the lawyers to be busy people and, with no disrespect for them, I would suggest that a lot of people going before such an appeal board would do just as well without the legal people there. That is nothing against a lawyer, it is just something in favour of better results as far as I have found over the years.

Mr. Laughren: It's a pretty fine line.

Mrs. Campbell: I'm not suggesting for a moment that I'm promoting lawyers for this job, there are other people to do it.

Mr. McCague: I was promoting atmosphere.

Mrs. Campbell: But when they do, the atmosphere is not created by lawyers, it is created by the way the system works.

Mr. McCague: Mr. Chairman, is that enough defence from the member for St. George?

Mr. Chairman: Mr. McCague, continue.

Mr. McCague: Mr. Chairman, in view of these inflationary times, how far back would you look at awards that had been made? How many years back would you go?

Mr. Starr: I think we went back to 1942 or 1943.

Mr. McCague: Is that automatic?

Mr. Starr: We brought it up to date at the end of 1973 in one lump sum, and an amount had been totalled. It was at 2 per cent per year up until 1972, in 1973 it was 4 per cent. Consequently, in total it was about 60 per cent.

Mr. McCague: Did you find any that you missed?

Mr. Starr: They were all adjusted upward.

Mr. McCague: You haven't found any that you missed?

Mrs. Campbell: They missed them where there was more than one claim.

Mr. Starr: They would have been brought to our attention if they'd been missed, because they were done manually. They are all on the computer. I don't know any that have been missed. Then we gave an additional 10 per cent for the year 1974 in 1975.

Mr. McCague: The point has been made before, but I think it is very valid, that some people run into great difficulty in getting, let's say, interim financing when they do have a serious injury, and people who are inclined to work from week to week, I don't know what you can do about that. I know one thing we could do that would be helpful—it took a long time, at least in rural Ontario, to get away from the idea of going to the poorhouse. Now they're all called nursing homes, and the people are very anxious to get in there. Our welfare system has been renamed social services, so I think that if all the members would use that more than welfare, that might catch on over a year. I understand the reluctance of people to ask for social services but I think that's really what they are there for, to tide people over in those difficult times.

Mrs. Campbell: Changing the wording doesn't change the system.

Mr. McCague: I think it has helped considerably. You can all remember when it was called the poorhouse. May I ask the minister, is there any way that there can be an obligation put on the doctors to give a report to the patient of what they send into the Workmen's Compensation Board?

Hon. B. Stephenson: The patient simply has to ask for it, that's all. Any physician who is treating a patient most certainly is obligated, when the patient asks, to tell the patient specifically the information which was given to the Workmen's Compensation Board.

Mr. McCague: That's one thing that causes a lot of problems. A lot of them don't do it and the patient thinks the report that is going to go to the Workmen's Compensation Board is much different than what actually goes.

Mr. Haggerty: It's confidential.

Hon. B. Stephenson: Yes, it's confidential to the physician. That's why the information regarding consultations with other physicians, be they those who are employed by the Workmen's Compensation Board or other consultants, are in fact sent to the family physician or the physician who is treating, who has the primary responsibility for treating that patient. All of that information is submitted to the physician so that indeed the physician can discuss the whole area or the whole problem with the patient at any time.

Mr. McCague: There is nothing than can be done about it being mandatory that a patient get a copy of the physician's report?

Hon. B. Stephenson: That has some connotations which I would doubt that the profession would think are particularly good for patients. The problem is to explain the medical terminology. Unfortunately, doctors tend to speak medical jargon in most of the reports which they submit and in many instances that does have to be explained to patients. It has always been felt to be better to have the physician present to explain that—or the office nurse if you will, it doesn't matter—but doctors have a moral responsibility and an ethical responsibility to discuss this information with patients at any time the patient requests.

Mr. Ferrier: They don't always do it.

Hon. B. Stephenson: Is that not being done?

Mr. McCague: If there was something that could be done to stress that part of it, I think

it would be helpful to the patient and to the board.

Hon. B. Stephenson: In the Workmen's Compensation workshops which are held in conjunction with the Ontario Medical Association, I know that the board doctors who go to meetings of various branch societies of the OMA do stress at every opportunity that it's the physician's responsibility to ensure that the patient is aware of the medical decisions that have been made and the medical diagnoses that have been made.

Mr. McCague: If the physician didn't do it, when would be the first opportunity an injured person would have to see the medical report that was submitted?

Hon. B. Stephenson: He has the opportunity to see the medical report through his own physician and—

Mr. McCague: But barring that?

Hon. B. Stephenson: If he is not successful in that area, the thing that he can do is immediately to contact the College of Physicians and Surgeons who can tell the physician to do it.

Mr. McCague: He wouldn't see it until the appeal came up at the WCB?

Hon. B. Stephenson: He can see it at any time that he wants to if he asks for it, not from the board, from his physician.

Mr. McCague: Not from the board?

Hon. B. Stephenson: No.

Mr. McCague: Thank you.

Mr. Chairman: Mr. Mackenzie is the next speaker. The vote will be at 5:50. If you want to start, Mr. Mackenzie.

Mr. Mackenzie: I'll let Mr. Ferrier go ahead.

Mr. Ferrier: If Mr. Mackenzie would yield to me, I will try and get my presentation in in 10 minutes.

Hon. B. Stephenson: Nine and a half.

Mr. Ferrier: I will try to even get it in in that time. I have been involved in workmen's compensation cases for nine or so years and haven't really seen the case load lighten with changes in administration and changes in legislation. The kinds of problems have changed, but there are still the problems of long delays in a case where there is some investigation needed, there are still the problems

of people phoning the board from out of the city area and not getting responses.

However, the thing I want to deal with today is the whole area of lung conditions in the gold miners. It's been a long-term theme of mine, where older miners' lungs deteriorate and when they go to the mining x-ray station, or the Ministry of Health as it is now, and get their x-rays, they do not have silicosis from a radiological point of view. They will sometimes be told that they've got emphysema or they've got bronchitis, or there's a combination of things. The man is disabled, he can't continue working at his old job or perhaps not in any job; there's no place for that person to go and because the condition silicosis cannot be diagnosed by x-rays the man is out of luck.

I've had some doctors say that functional tests should carry some weight with the board, but to my knowledge they really are of very little significance. Sometimes, if a person is wise enough to go to a specialist and their physical condition is good enough, he will sometimes get a lung biopsy, but that is not normal practice and it's not always done because of poor health.

There have been studies done in the last while which show that there is a greater degree of bronchitis in those who have worked in the mines than those who have not worked in the mines. I think that even though smoking may be a factor in some of these cases, it still shows that among those who have smoked in both categories that there is more industrial bronchitis in the miners than in other sections of the population.

Quite an impressive number of studies have been done in this field. I've been able to dig out some with the help of certain people. Morgan and Lapp have done a study on coal miners. They refer to other studies that have been done and I put some on the record the other night.

I would like to see us begin to compensate for chronic bronchitis. I know when you get into the field of emphysema that it's not as clear as it is in bronchitis, but I would like to see some of these studies get thorough consideration by the Workmen's Compensation Board and begin to compensate to some degree those who do have chronic bronchitis.

There is also the question of the greater incidence of tuberculosis in miners, gold miners. Studies have been done by Dr. Pater-son for the Ministry of Natural Resources and I believe that you do have them.

I also was able to get in my possession a hearing that took place in Michigan, where a pathologist made the statement that with people who had been subjected to silicate for a long period of time, if they developed tuberculosis, the tuberculosis should be compensated, if they have worked five or 10 years underground.

[5:45]

I don't know why, when you have these kinds of studies that have been done and are quite common now, you can't move into this area and begin to do justice for these older gold miners. I know some of your people at the board have this information, have these studies, and I think there could be quite a bit of reform and improvement in this whole field and then we wouldn't always have to get to the position when we go before the board arguing that it has got to be silicosis and it has got to show on the x-rays, it has to be conclusively shown there.

The men have the impairment in their breathing and they have worked long years in dust. The studies are now coming out and are showing that there is a relationship, or a higher incidence of bronchitis in miners than in other sections of the population; it would seem that the information as far as tuberculosis for those who have been subjected to silica dust is an established fact. I don't know what process one takes. I thought of putting in a private member's bill, but I don't know where on earth I'd amend the Act.

I would appeal to the minister and to those technical experts, medical experts in the field, to evaluate this material that is there and to bring about the changes that are necessary so that with those miners with long-term exposure who do have chronic bronchitis, or where tuberculosis becomes involved, that you do make those changes. I think the evidence is there and you have to do justice to it. You have to improve the lot of those miners who worked in pretty adverse conditions, some of them, in the early years where there was no dust control and it was dry drilling and all the rest.

I see my time is pretty well up; but I really would plead with you, Madam Minister, to look at this and to bring about those amendments and those changes. I think it is warranted and I think there are enough members of the board who know what I am talking about. It is long overdue and I just wish you

would try to bring in something to help the situation.

Hon. B. Stephenson: In this somewhat difficult area, because it is one of the multi-causal areas, I can tell you that we are looking at it right now.

Mr. Ferrier: I hope you are able to come up with something fairly soon.

Mr. Chairman: I will now leave the chair and we will resume at 8 o'clock.

The committee recessed at 5:47 p.m.

APPENDIX B

Standing Resources Development Committee

TUESDAY, DECEMBER 14, 1976

The committee resumed at 8 p.m.

THE WORKMEN'S
COMPENSATION BOARD
(continued)

Mr. Chairman: Mr. Haggerty.

Mr. Haggerty: Half an hour?

Mr. Chairman: You're entitled to 15 minutes.

Mr. Haggerty: I hope I get longer than 15 minutes.

Mr. Chairman: Followed by Mr. Mackenzie.

Mr. Haggerty: I was concerned about the opening speech by the Chairman of the Workmen's Compensation Board—I'm having difficulties finding my notes I had on it—but I was perhaps a little bit alarmed at some of the comments that he expounded on; and in particular I sensed that it's going to lead, perhaps, to a more adversary system again. I thought perhaps he was thinking about one or two major causes or problems there. I think you mentioned something about \$300 million paid out in benefits for a period of 10 months and the tone of the approach was that you were going to do some cutting back and I thought perhaps you were going to have a restraint programme applied to workmen's compensation.

Mr. Starr: Not at all. I just wanted to impress upon the members that we are paying huge amounts of money out for large numbers of incidents.

Mr. Haggerty: You frightened me, right from the opening. You said that the corporate board, and that gives the impression that this board is above all other means.

Mr. Starr: That's the way the Act describes us.

Mr. Haggerty: Well, that's kind of frightening and perhaps this is what some of the members are trying to draw to the attention of the board; that you should perhaps be getting down to earth with some of these problems at the level of workmen's compensation, and the injured workers in particular.

That kind of frightens a person, I think, when you mention the board as that large. I think my main concern is that following the Health and Safety bill that was passed just within the last day in the House, I was concerned about this omnibus bill that the minister keeps talking about and I'm going to make my remarks perhaps to the Report of the Royal Commission on Health and Safety of Workers in Mines.

I was concerned about one particular paragraph in here which relates to the powers of the Workmen's Compensation Board. It's found on page 156 of Report of the Royal Commission on the Health and Safety of Workers in Mines as it relates to this; and it says—I'm quoting point 25 there:

"The Workmen's Compensation Act contains provisions for the board to invoke the formation of safety committees for accident prevention in companies with adverse injury experience, although to the commission's knowledge the board has not exercised this right."

I find that a rather alarming statement for the commissioner to make as it relates to the Workmen's Compensation Board, when you go back and relate to the number of accidents and injuries throughout the province of Ontario, particularly as it relates to the mining industry but also to the other industries in Ontario. I feel that you had a responsibility here in this field that you neglected; to move in this direction to establish safety committees in industries in Ontario. I'm sure that some of them have been a poor risk, you might say, that there have been a number of accidents in certain industries in Ontario. It's regretful that you didn't move earlier into this thing without being directed by this report.

Mr. Starr: Would you like us to deal with it.

Mr. Haggerty: Well, perhaps if you want to.

Mr. Starr: Mr. Harding will deal with it.

Mr. Harding: Yes, the section that Dr. Ham was referring to is section 86(7) of The Workmen's Compensation Act, which relates to those employers with adverse experience on the basis of the regulations. There are somewhere around about 1,000 employers per year who qualify under that section. Many

of those are relieved on appeal because of extenuating circumstances.

The board has not made a mandatory order for any of such employers to form mandatory joint safety committees, to my knowledge, and the reason for that has been that the board itself has not considered itself as a safety authority. The authority for safety rests with the safety associations and the ministries.

What the board has done is that each of those situations where an employer has qualified for an additional assessment under section 86(7) is to provide a full record of all of that employer's experience to the appropriate safety association. The association then visits the employer to discuss with him, not merely a joint safety committee but an overall safety programme, one of the facets of which may well be a joint safety committee. The board hasn't seen it useful from its own standpoint to compel action without the full programme being implemented through the safety association.

Mr. Haggerty: This relates particularly—

Mr. Harding: I think there is strong probability that many of those employers have, in fact, formed joint safety committees as a result of advice and guidance from the appropriate safety association; but such safety committees probably operate better on a voluntary and co-operative basis rather than an imposed basis.

Mr. Haggerty: You're quite right. It goes on to say 90 per cent of industries do have joint health and safety committees. But my main concern in this matter, and I raised it with the minister, is the difficulties that there were in the mining sector of the province of Ontario where there had been a certain amount of a glut, I should say, of unsafe practices in mine safety. Whether there was confusion as to whose jurisdiction that fell under I don't know.

Hon. B. Stephenson: Now you know, Mr. Haggerty.

Mr. Haggerty: Pardon?

Hon. B. Stephenson: Now you know.

Mr. Haggerty: Yes; but you see it was all handled by the Workmen's Compensation Board so in a sense you still have the one body responsible to see that health and safety was a major concern, that is the Workmen's Compensation Board. I feel in this particular section the board let down the employees in the mine and smelting

industry in the province of Ontario. There is no doubt about it, you should have moved, the board should have moved in that direction six or seven or eight years ago instead of bringing in legislation now. It's about seven or eight years too late.

The other section to which I want to make reference in this report relates to occupational health protection, on page 252:

"In the commission's view the existing Occupational Health Protection Branch in the Ministry of Health has conducted critically important studies with inadequate resources and has been forced to work in a crisis-to-crisis atmosphere which is not conducive to the development of public understanding of the complexity of occupational health and safety. The commission believes that the priority given to this branch reflects the absence of a legal mandate, as well as the massive preoccupation of the provincial health care system with disease and diagnosis as contrasted with a preventive service.

"A further manifestation of the latter situation is the absence of any significant emphasis on occupational medicine, industrial hygiene, and medical and engineering education. Few mining companies provide their workers with the service of a resident or a consulting physician experienced in occupational medicine, and in the industry there are few active specialists in industrial hygiene."

That's rather an alarming statement to make. There's no doubt that the minister responsible for mines and even the Workmen's Compensation Board have neglected this other stage in work or occupation as it relates to health and safety in mining. That's kind of critical of the operations of the Workmen's Compensation Board.

Hon. B. Stephenson: If I may, Mr. Chairman, I am not sure that what the commissioner was saying there was really related to the function of the Workmen's Compensation Board. What he was relating was his concern regarding the function of the occupational health protection branch—

Mr. Haggerty: That's right.

Hon. B. Stephenson: —within the Ministry of Health, which has been traditionally a separate entity—

Mr. Haggerty: That's right.

Hon. B. Stephenson: —in terms of function, from the Workmen's Compensation Board. There isn't any doubt in my mind that there needs to be a very close relationship between the occupational health and

safety authority and the Workmen's Compensation Board because they can share experience and information and I think, as a result of their concomitant function, will help to improve matters at the preventive end; and hopefully minimize the problems at the other end when prevention has failed.

Mr. Haggerty: I am quite aware of the responsibility of the Ministry of Health in this area but for some unknown reason, I think there was a lack of dialogue with the Workmen's Compensation Board.

Hon. B. Stephenson: One of the very—

Mr. Haggerty: When it comes to the matter of bringing detailed information to the Ministry of Health—the occupational health section—through the Workmen's Compensation Board, I don't think it was there.

Hon. B. Stephenson: One of the very strong reasons for incorporating the occupational health and safety authority under the Ministry of Labour was the responsibility of the Ministry of Labour for the Workmen's Compensation Board. It is certainly hoped, and it is most definitely the intention, to ensure that there will be not only consultation and communication but also co-operation in development.

Mr. Haggerty: That brings another point up. The question is whether the Ministry of Labour is going to have sufficient funds to hire the number of qualified staff to do all this research to bring in all the information that is available.

Hon. B. Stephenson: I would like to reassure you that I believe we will have the funds available. My very real concern is that there will not be sufficient personnel available to hire. As I have said before, of the 38,000 physicians, for example, in Canada, there are only 75 to my knowledge who have specific expertise in occupational health and safety. We do have a dearth of trained individuals in this entire area which must be corrected.

This is why I was interested and concerned to hear the recommendations during the standing committee hearings regarding the necessity for educational programmes for workers, managers and others in order to ensure that there are some people with some expertise in this area. We will be able to hire as rapidly as the people will be available to us, and our programme or plan is to do just that.

Mr. Haggerty: I can recall a number of debates in the Legislature and in committee when we brought to the attention of the Ministry of Health that they should have more expertise in the field of occupational health. For some unknown reason they could never come up with sufficient staff or the money—I think the money was the major cause of not hiring.

Hon. B. Stephenson: The other problem is that unfortunately universities and medical schools have not been sufficiently concerned or aware of the potential problems of occupational health and safety and have not made it a priority until the last year and a half. As a result of some impetus and some concern being expressed to them two Ontario universities and one more now—two more now—are becoming very much concerned about the training programmes which are necessary for occupational health protection.

This has been a very recent development and I have to tell you that the universities, the faculties of medicine, schools of hygiene and various other institutions have not demonstrated an adequate concern in this area. I am not saying it's the universities fault. I think it is probably the fault of everyone; certainly it's the fault of the medical profession which has not looked upon this area as one of the more enticing or glamorous areas of the practice of medicine and has not encouraged it until this time.

[8:15]

Mr. Haggerty: You've lost a very knowledgeable person in occupational health diseases and that is Dr. Earnest Mastromatteo who has gone to International Nickel Company now.

Hon. B. Stephenson: He chose to leave.

Mr. Haggerty: He chose to leave but I can just imagine—

Hon. B. Stephenson: We couldn't afford to pay him—

Mr. Haggerty: It must be—

Interjection.

Mr. Haggerty: How much was that?

Hon. B. Stephenson: I'm not going to—I'm sorry.

Interjection.

Mr. Haggerty: You are not going to put that out.

I can just imagine the problem that will arise if a person, any employee of International Nickel Company appeals to the Workmen's Compensation and has to come up against the knowledge of Dr. Mastromatteo. When they come armed with solicitors there isn't a ghost of a chance, I think, of anybody winning an appeal. The odds are against him. I feel that we've lost a person knowledgeable in this particular field.

Hon. B. Stephenson: Are you suggesting that because Dr. Mastromatteo has gone to work for private industry he is going to lose his concern for the protection of the health of the individual worker? I think that is the reason he went to Inco, isn't it?

Mr. Haggerty: I hope not.

Hon. B. Stephenson: I don't think that's going to happen.

Mr. Haggerty: I think perhaps it's an indication that International Nickel Company is concerned about the health and safety of employees in the plant operations.

Hon. B. Stephenson: That's right. They have also hired, as you know, Dr. Warner in addition to Dr. Mastromatteo. They have two experts.

Mr. Haggerty: I think it's rather—well, I won't go any further. The other matter is on page 264, appendix A, and this is what I want to ask the minister and the Chairman of the Workmen's Compensation Board about. "That section 53 of The Workmen's Compensation Act be amended as necessary to provide a clear entitlement for rehabilitation compensation based on the principle of work adjustment for persons subject to exceptional exposure to environmental health hazards at work."

Hon. B. Stephenson: That recommendation, I believe, is being studied now.

Mr. A. G. MacDonald: Mr. Chairman, we have noted this recommendation by Dr. Ham. Our legal advice is that section 53 is broad enough to encompass the programme as it presently exists. If there is any need to make that clearer in the next amendment to the Act, we will be considering looking at a revised section.

Mr. Haggerty: Are there any changes in the making now that you are going to bring forward very shortly—say by next summer or something—which relate to some of the recommendations here? There are 117 of them, I believe.

Hon. B. Stephenson: Yes, but they don't all relate to the Workmen's Compensation Board.

Mr. Haggerty: No, but there are some. There are others there too that are of concern to me.

Hon. B. Stephenson: Of the 117, a very small number apply directly to the Workmen's Compensation Board.

Mr. Haggerty: I imagine, when you bring in the omnibus bill, you are going to have perhaps other changes to the Workmen's Compensation Board.

Hon. B. Stephenson: They will not be a part of the omnibus bill, if I may say. The omnibus bill is occupational health and safety legislation related to prevention of accidents and illness, hopefully, and encompassing the entire work force in the province—well as much as we can encompass in the bill. There may need to be some modifications to The Workmen's Compensation Act but I am not aware of that at the moment.

Mr. Haggerty: We can't expect any amendments to the Act for perhaps a year?

Hon. B. Stephenson: I didn't say that.

Mr. Haggerty: No. I did ask you a question in the House last June and, I believe, in October, too, concerning any consideration being given to an increase in injured workmen's benefits. You keep informing us that you have this committee which is sitting—it's been sitting for almost a year now and we are still looking for some of the answers.

Hon. B. Stephenson: They haven't been sitting for a year. I think they began in June; they were appointed in March or April.

Mr. Haggerty: It's 18 months since the last raise came through for them.

Hon. B. Stephenson: I am aware of that, Mr. Haggerty.

Mr. Haggerty: Are you concerned about it?

Hon. B. Stephenson: Yes, but the experience of the modifications which were made in July, 1975, I think has to be assessed, and that is precisely what the joint consultative committee is doing. The power to appoint the joint consultative committee was a recommendation of the task force of 1973 and we felt it was appropriate to appoint it last spring. It was done.

They have become organized and they have been sitting. They are looking at all of the

recommendation which have been made by the various groups which have appeared before the board or within the ministry concerning the Workmen's Compensation Board and they are making recommendations to the board, which I had hoped we were going to get in November, and then December, and now I hear it's January. But they will be coming forward, because that is the purpose of that committee, to review possible amendments to legislation and to look at the kinds of improvements which might be made.

Mr. Haggerty: Making a few more comments on the Royal Commission on the Health and Safety of Workers in Mines, is there any consideration that you're going to allow further compensation for those employees working in the uranium mines in Ontario? Where the risk is the greatest, shouldn't there be also a kind of risk money involved for compensation? In other words, if these are hazardous conditions you should have extra benefits there that should be given to the employees for that risk. I don't like to use the words "dirty money", but in practices and union contracts in the past if you worked at a dirty job you always received about 15 cents more an hour.

Hon. B. Stephenson: You're talking about hazard pay?

Mr. Haggerty: That's right, particularly in uranium mining.

Hon. B. Stephenson: Is that an appropriate subject for the Workmen's Compensation Board to be considering, or is it more appropriate for the negotiations within the collective agreement?

Mr. Haggerty: No, I don't think it should be there, because it's a hazardous condition right from the beginning and those persons either should be protected to the fullest, with better working conditions and better hygienic conditions, in-plant conditions in the mines; and if you can't do that, then a least come through with something that's going to look a little bit better for them if they do come down with an industrial disease.

I've talked to a number of persons who have come down with silicosis from working around the uranium mines in the Elliot Lake area, and often they are put out on early pension or told that they have to get a different type of employment, it's better for their health; but they still end up with a disability and it's hard, in a sense, to compensate them for it. They're not totally disabled but they still have a degree of discomfort. They're restricted in a sense for other employment.

Hon. B. Stephenson: Within radiation, yes.

Mr. Haggerty: Working any place in the uranium mines you are going to run into radiation. The radon gas is there.

Mr. Starr: Are you suggesting a higher percentage of compensation for them?

Mr. Haggerty: Where there is a risk there should be a higher percentage there for them.

Hon. B. Stephenson: You're talking about a higher rate of compensation for those individuals.

Mr. Haggerty: That's right, right from the start.

Hon. B. Stephenson: That was the question that I asked. I asked if you were talking about a higher rate of pay?

Mr. Haggerty: No, it is a hazardous working environment and they should be—

Hon. B. Stephenson: Okay, so you are talking about hazard compensation.

Mr. Haggerty: That's right, hazard compensation. That's what I'm asking; are you going to give any consideration to that type of employment?

Mr. Mackenzie: Maybe additional hazard compensation payments too.

Mr. Haggerty: I think there is a risk to the person to go down there. They're not doing it for themselves, they are doing it for the public as a whole and I think they should be compensated dearly for that risk that's involved. As long as you're going to deal with uranium, the risk is going to be there regardless of what you do.

Hon. B. Stephenson: The programme which was established at Elliot Lake for removal of workers from the area or risk takes that into account to a certain degree, but this is a concept which could be examined by the joint consultative committee, yes.

Mr. Haggerty: I think it's an area that should be looked at. I think there's room for further consideration of that particular area.

The other matter I want to ask members of the board is, can you define "impairment"? What do you mean by that? Like section 42: "Where permanent disability results from the injury, the impairment of earning capacity of the employee shall be estimated from the nature" and so on. Would you give me the definition of "impairment" and how you interpret that particular section?

Mr. Kerr: I'll start off, and I assume that perhaps Dr. McCracken would like to augment the answer for you, Mr. Haggerty.

In section 42, it says: "Where apparent disability results from the injury, the impairment of earning capacity of the employee shall be estimated from the nature and degree of the injury and the compensation shall be a weekly" and so on. This is the section of the Act that gives the board authority to set up what we all know as a permanent disability rating schedule. This is based on the impairment of earning capacity of the employee expressed in the terms of percentages of the whole body and this is the context in which we use impairment in section 42.

Of course, if you get into the broader sense of what is impairment, what is impairment for one person may be different from another when you get into a temporary situation of suitable work. We could both have the same kinds of disabilities but perhaps the impairment is a little bit different in terms of degree for temporary disability, which is a qualification and something that has to be considered in putting the man into suitable modified employment. That's why we were so pleased when section 41(b) of the Act came into being, which enabled us to do something for those who were temporarily partially disabled and we were not placed in the position of having to put, generally speaking, a 75 or a 50 or a 25 per cent rating on their impairment capacity.

Going back to section 42 and the term "impairment of earning capacity," the wording gives us the authority to estimate the nature and degree of impairment, and this is the approach that's been taken by the boards across Canada in setting up their permanent disability rating schedule.

Mr. Haggerty: It doesn't actually refer to his loss of earnings, does it? All you are talking about is just the degree of injury. You have twisted that around to say if you have got a back injury it's only 10 or 15 per cent, but you don't take in the total of the impairment of wages if he can't get a job, for example, or he is going to be classed as light modified work, which makes it pretty hard for him to pick a job up. So you leave him in a position there with very little income, say \$60 or \$80 a month, but you haven't taken into consideration the impairment of wages, loss of income.

Mr. Kerr: There are two situations. I don't know if you were here when I was explaining the supplementary awards under

section 42(5) which is based on the man's wage loss, so that we have two approaches. We have the clinical degree of disability under section 42(1), and then if the impairment of earning capacity of the employee is significantly greater than usual for the nature and degree of the injury, that's where we apply section 42(5) and we have regard there for his actual wage loss prior to the accident. With a combination of the two today we are in a pretty good situation to take care of that kind of problem. I also reported that so far this year we have about 1,600 pension cases, around 35 per cent of the pension cases, where we have augmented the pension with the supplement based on his wage loss.

Mr. Haggerty: That's the difference between the workmen's compensation in Ontario and some of the states in the US. In California, a person would receive full benefits. You restrict yourself to a certain—

Mr. Kerr: If I could just make one comment, and then Mr. Harding would like to comment, I think it's rather important too that there is a body of thought that we shouldn't be giving a full clinical disability rating when there is no wage loss and it's fortunate that the wording of the Act in 42(1) gives us that authority to estimate the impairment. If it wasn't for that, the people who have no wage loss wouldn't receive a clinical disability rating at all, which we feel would be unfair.

Mr. Haggerty: It's unfair the other way, though, where you have a total impairment of wages, isn't it? Some persons are fortunate enough that they can go out and pick up a light modified job. There is no loss of impairment, but in a sense you still pay him the \$80 a month or \$60 a month, but the person who can't get a job in that category is the one who suffers the most, because he's only receiving \$60 or \$70 a month and he has lost the impairment of wages. It's gone. That's the point that I think a number of us, when we make an appeal to the Workmen's Compensation Board, find hard to define that word there, the interpretation of it. I would say that a person who can't be placed in employment or can't find a suitable job has an impairment of wages and he should receive full compensation until he is rehabilitated through some vocational programme or been able to pick up a suitable job.

[8:30]

Mr. Kerr: In effect, the amendment of section 42(5) enables us to do that as long as the injured person is engaging in a back-to-work programme with rehabilitation counsellors; we are using that section more and more to take care of the kind of situation.

Mr. Haggerty: I don't want to deal with a particular claim, but I suppose if I went back and pulled out the file I could name a dozen of them right off the bat that say you are not following that policy. I've been two or three years battling with the Workmen's Compensation Board, appeal after appeal, and you put them down to 50 per cent from 100 per cent and that cools it off a little bit and pretty soon it goes back for reassessment and then it's down to about 10 per cent. Then you have to start an appeal all over again and then it's back up to 50 per cent.

In that particular area, where there's a family, when you are reduced to 50 per cent there should be consideration given that dependents should be given some allowance. You don't do that; you just knock off a couple of hundred dollars a month and put him down to 80 or 90 dollars a month and there's no consideration about his dependents whatsoever. That's what's wrong with this Act.

There should be a change, and I'll suggest it to the minister. There should be an amendment in this section.

Hon. B. Stephenson: It is my understanding that indeed that situation is covered; that if the individual is unemployable or cannot find suitable employment at that time, that supplemental pension can be raised to the level of full compensation, and that in that consideration socio-economic factors are considered as well.

Mr. Kerr: That is the culmination of the intention under section—

Hon. B. Stephenson: Right; that's already in effect.

Mr. Haggerty: If I had the time I'd go through that one particular case where it doesn't work. And I can list dozens of others the same way; it doesn't work.

Hon. B. Stephenson: If you have specific cases in which you feel these sections of the Act are not being applied, then I would think it would be extremely wise to make the board aware of it.

Mr. Haggerty: I have been to the board a dozen times with this particular claim and I am almost at the stage just to throw it at

you because it's just about useless to go to the board any more. What you have done is you have shirked your responsibility in this particular claim. The man works at General Motors. I brought it to the attention of the board last year, the year before, and I am still bringing it to the attention of the board. What you have done here is put him on a permanent partial disability pension of about \$80 a month and he was making good money at General Motors. That's as far as you go with it, so now he has to go back to General Motors and collect sick and accident benefit insurance they have there and that's going to run out some time in December. I don't know what you can do with a man with a family and yet he has to collect the sick and health insurance he has, and it has to be based upon medical evidence. He goes to two doctors and the two doctors say he is not able to go back to work, but for some unknown reason you can pull a doctor out down at the board and he says he is able to go back. You can come back and say you sent him to a medical referee; that's fine if he has the choice to go to the doctor he wants, but he doesn't even get that choice. It's the choice of this board.

Mr. Kerr: Has this case been appealed, Mr. Haggerty?

Mr. Haggerty: Oh it's been appealed a dozen times. Maybe not a dozen times but I've spent time on it for about three years.

Mr. Kerr: All that evidence that you bring out about the two doctors and everything was before the appeal board?

Mr. Haggerty: I could read the letter into the record. The board won't even recognize a previous injury in this particular case. It happened at General Motors in St. Catharines. He fell off a fork-lift truck, I believe it was, slipped on some oil or something and down he went. The first aid attendant went out and picked him up and put him in a wheelchair to wheel him through the plant and they happened to hit one of those drains with the grating that goes over the top and the chap flew out of the wheelchair, flat on his back. You won't even recognize that or give any consideration to it. You don't even want to discuss it at the board hearing. And probably that is the phase of the accident which is causing all the problems; at any rate he's got a back problem, the doctors verify that. To put the man out as you're doing with him, with \$80-a-month pension, saying, "This is all we're responsible for"; that is damned well ridiculous.

Hon. B. Stephenson: Is he working at the moment?

Mr. Haggerty: No, he isn't. He hasn't worked for two or three years. You talk about rehabilitation; your programme is useless in this particular case. You get a psychiatrist's report and he says: "He has grade 5 or grade 6 education, there is nothing that can be done"; or something like that. It is ridiculous. A man who can get on the assembly line and pass the IQ test they have for General Motors is not backwards by any means. If you could get a psychiatrist's report here and—boy, these reports from these psychiatrists; I think they are the ones who have rocks in their head. I remember one case where a woman from Fort Erie—

Hon. B. Stephenson: If I were you, knowing the leadership of your party, I wouldn't make any such remarks about psychiatrists.

Mr. Haggerty: I'm not worrying about that, I'll look after my own problems.

Interjections.

Mr. Haggerty: But on this particular case where I appeared before the board, the psychiatrist's report again—I think it was from Dr. Bean or something like that—at any rate one of the commissioners said: "Read this." It was confidential, you know; I could get that nonsense from Land Anders in the paper.

An hon. member: Ann Landers.

Mr. Haggerty: It's there every week and it relates to the bedroom.

Hon. B. Stephenson: Are you talking about this case?

Mr. Haggerty: I'm talking about a couple of cases here.

Hon. B. Stephenson: I am thoroughly confused.

Mr. Haggerty: I am just talking about the matter of psychiatrists and what happens when they come into the picture. I can cite you other cases where psychiatrists have made a report to the Workmen's Compensation Board that related back to the depression days—if you've read that nonsense; and that's what it was, just sheer nonsense—he said they come from a family in poverty. How many families in depression days didn't come from that segment of society? And because the parents or one of them might take a bottle of beer or something, that was a sin too with him. They ask a person: "Do your parents

drink?" If the answer is yes; then the first thing they say is he is an alcoholic. You read some of those psychiatrist reports that go to the board.

Another thing, when a person sees a psychiatrist, it's a mark against the family.

Hon. B. Stephenson: What?

Mr. Haggerty: Yes, it is.

Hon. B. Stephenson: That is a mid-Victorian, antediluvian attitude.

Mr. Haggerty: Well you just try and get life insurance—

Mr. Laughren: Let's deal with life insurance then.

Mr. Haggerty: No, you just try to get life insurance and find out what happens when they have a mark like that. They say there is a mental problem in the family; that's what they're saying in these reports. Now the minister may sit there and smirk, but you know—

Hon. B. Stephenson: I'm not smirking, Mr. Haggerty.

Mr. Haggerty: Well you're kind of happy about it, anyway.

Hon. B. Stephenson: I am very unhappy about the kinds of remarks you are making about a reasonably reputable profession.

An hon. member: Reasonably reputable.

Hon. B. Stephenson: Reasonably reputable, that is what I said.

Interjections.

Mr. R. S. Smith: What makes your part more reputable?

Hon. B. Stephenson: I mean—I am not saying—it is an inexact science—

Mr. Haggerty: This is why it is an adversary system you have there; you create more of a problem instead of trying to solve it. You don't help anybody whatsoever. You can make an appearance at the appeal board and somebody will say: "Have you tried Canada Pension Plan?"; knowing full well that he isn't totally disabled and it is tougher to get Canada Pension Plan help than Workmen's Compensation in a number of cases. This is what the leadoff speaker for the NDP was trying to get at. You ridicule the person, that is what is done through this type of response.

Hon. B. Stephenson: I am sorry, I don't subscribe to that.

Mr. Haggerty: Let's not kid ourselves, there are some sly remarks made at the board. For example, if you happen to be an Italian; they're the worst kind, they're lazy people, that's the impression that you get. Any little problem they have they want compensation for it.

An hon. member: Be careful about that.

Mr. Haggerty: Oh no, oh no; I'm telling you—

Mr. McCague: On a point of order, I don't think we have to bring nationalities into this conversation, do we? I think everybody is treated fairly in this country.

Mr. Haggerty: I don't think so. This is what takes place there.

Hon. B. Stephenson: I think Mr. Harding was trying to make a response at one point, were you?

Mr. Haggerty: No, I'm not through, Mr. Chairman. These are the problem areas. I have been here almost 10 years in the Ontario Legislature and things haven't changed. The improvements haven't been that great. It may be the best system that there is, but there's a large area that can be improved on to make it a better working system. I feel that when you sit back and look at all the different programmes that we have for persons who have come down with a misfortune through an off-the-job injury, they have sickness and accident insurance in many industries, Canada Pension Plan, private insurance plans, workmen's compensation, and perhaps there are other ones too that you probably can discuss, but when I sit back and look at it, when a person who is injured, instead of battling with one agency he has about half a dozen that he has to battle with trying to get a decent income to survive after that injury. I feel in many cases that the worker is being taken in many of the programmes.

I would suggest to the minister once again, through you, Mr. Chairman, that I would like to see a programme put forward by the Workmen's Compensation Board that would establish an actuarial study of all the benefits available to the injured workers in the province. Consideration should also be given to the establishment of comprehensive accumulation of information concerning these programmes. I think it's time that the minister and the Workmen's Compensation Board adopted a new approach to compensation for the injured, perhaps even off the job.

It's costing society a large amount of money in workmen's compensation and other

insurance programmes, and I think that if you perhaps put them all together and come up with one comprehensive plan we will have something for the injured worker in the province of Ontario, and perhaps even in every province throughout Canada. I know it's costing industry for a number of these programmes, and it's also costing the employee a share of it. I think there should be a programme that's going to give someone suitable income in case of an injury and I feel you are going to have to move in this direction.

It was the comment of the Chairman here that the assessments are going up, the cost to industry; they're complaining about it, the Chairman's complaining about it; the cost involved in payments of claims and so on and when you sit back and look at what the worker has contributed to society, he pays—another programme he pays into is automobile insurance, and that gives him protection in case of injury. There's all kinds of them, and yet when I look at it, there isn't a decent programme to provide any suitable protection at all. Perhaps the minister wants to add a few comments to that?

[8:45]

Hon. B. Stephenson: The New Zealand programme has been in operation now for a relatively short period of time. It is being watched with a great deal of care in order to see whether, in fact, it is a functional programme or not. There are other programmes in certain other areas which are also being looked at, and I don't think you should feel that we are considering The Workmen's Compensation Act, as it is presently written, as something etched in stone. It certainly merits review from time to time, but indeed the major changes which have been made within the last 1½ years should be assessed before we move to any more dramatic change in this area. We're going to look at the kind of experience which other programmes have to see whether there are benefits or hazards involved in them, and try to develop whatever is best for the people of Ontario, the workers of Ontario, in whatever programme we decide upon.

Mr. Haggerty: Has the board done any studies in this particular area at all, consolidating all the present programmes that there are?

Hon. B. Stephenson: I'm not sure that the board has specifically—

Mr. Haggerty: Has anybody on the board worked on any such programme?

Hon. B. Stephenson: There have been some examinations of other programmes, yes, but as a concerted study, the report of the Saskatchewan situation is one which is being examined, yes.

Mr. Haggerty: What was that again?

Mr. Laughren: I'm surprised you would want to wipe out the private sector.

Mr. Haggerty: Pardon?

Mr. Laughren: I'm surprised you would want to wipe out the private sector that much.

Mr. Haggerty: No, I don't think the private sector should be hurt in this particular area.

Mr. Laughren: You can't have it both ways.

Mr. Haggerty: A number of employees pay into these programmes, too, you know.

Mr. Laughren: I know, but you can't have a social insurance scheme plus the private. It's not possible. It's like auto insurance; you either have public auto insurance or you don't.

Hon. B. Stephenson: Into workmen's compensation?

Mr. Haggerty: Be careful, Floyd. You remember a couple of years ago in the Legislature there was a Liberal member from Niagara Falls who introduced a bill related to this thing here—compensation regardless of where the accident happened?

Mr. Laughren: Yes.

Mr. Haggerty: You fellows didn't support it.

Mr. Mackenzie: You've taken those phoney votes since I've been in the House.

Mr. Haggerty: George Bukator was the member at that time.

Mr. Chairman: Have you concluded your remarks, Mr. Haggerty?

Mr. Haggerty: I was hoping I would get some more definite answer from the minister. In the matter where there is adjudication that is pending, where you have an appeal stage now where an injured worker's benefits have been reduced, in some cases cut right off, in some cases reduced to about 50 per cent, 25 per cent or something like that, as long as the adjudication is in the process why can't benefits be paid until a decision is brought down by the commission or by the board? Often it takes three or four months for an

appeal, sometimes longer than that before you get to the final stages of it. In that time a person is suffering hardship.

Hon. B. Stephenson: He's saying that when you reduce benefits, the benefits do not persist until the final decision is made. It was my understanding that the level of benefits persisted until the final decision was rendered. If he has an entitlement? It was during an appeal? I understood Mr. Haggerty to say that the benefits were cut off before the decision was made to reduce the benefits, and I didn't think that happened. When he's reassessed the change occurs as a result of the reassessment.

Mr. Haggerty: I think when an employee requests an appeal—

Hon. B. Stephenson: It's during the appeal process that you're talking about?

Mr. Haggerty: During the appeal process, as long as the decision hasn't been brought down he should be receiving full benefits.

Mr. Wildman: While he's being reassessed it's cut too.

Mr. Haggerty: That's right, oh yes. They cut him right down.

Hon. B. Stephenson: That's the question that I asked. It's during the reassessment process that the benefits are cut then?

Mr. Harding: Benefits are only cut down when the decision has been made.

Hon. B. Stephenson: When the decision has been made on the basis of the reassessment, yes.

Mr. Wildman: I have cases here—

Mr. R. S. Smith: Yes, I know folk who were cut off while they were being reassessed.

Hon. B. Stephenson: During appeal they're maintained until—

Mr. Haggerty: That's right. They should be supported until that decision is brought down. I think a great number of members feel the same way when they run into this difficulty.

Hon. B. Stephenson: Under the Act at present, the entitlement of the individual is the basis upon which compensation or benefits can be paid. If the decision on the basis of reassessment is that the entitlement is less, then the board really doesn't have any authority, to my knowledge, to pay more than the benefit that the reassessment has established.

Mr. Haggerty: Usually the family physician says the man is unable to go back to work, and this is where you get into the difference of medical opinion. The board says he is and as long as that person is caught in that web, his claim should be supported until a decision is brought down, whether it is in his favour or against.

Mr. Starr: If I understand you correctly, Mr. Haggerty, your point is this: A person is under section 41 and receiving his benefits; he is available for modified work but is unable to find it but he is co-operating—

Mr. Haggerty: Right.

Mr. Starr: —up to a point. Then, all of a sudden, he says, "I'm not available. I can't do any kind of work." Then he's cut back to 50 per cent because he is not co-operating with the rehabilitation officer. He appeals this so you say he should be reinstated to full benefits until the appeal is heard—is that what you are saying?

Mr. Haggerty: That's right. I can go back, in this one particular case—

Hon. B. Stephenson: He's not saying until the appeal is heard; he is saying until the decision is made.

Mr. Haggerty: Yes.

Mr. Starr: Maybe I should go further and say until the decision is made by the appeal board.

Mr. Haggerty: Yes, that's right. Whether they support it or not.

Mr. Starr: Whether it be at the stage of appeal?

Mr. Haggerty: That's right. The board has a practice, I think, of reviewing the claims every so often.

Hon. B. Stephenson: Some.

Mr. Haggerty: All of a sudden, the claimant gets a letter that says he has been reduced from the maximum to 50 per cent.

Mr. Starr: For some reason.

Mr. Haggerty: For some reason. Nobody knows what the reason is until he—

Mr. Starr: Oh, yes.

Hon. B. Stephenson: The reason is given.

Mr. Lupusella: No co-operation.

Mr. Starr: They're told what the reason is.

Mr. Haggerty: But that's—

Mr. Starr: As I illustrated, that's what you meant—if he is cut back 50 per cent and enters an appeal he should be reinstated at a 100 per cent until a decision on that appeal is made.

Mr. Haggerty: That's right. In many cases the claimant will get word from the board, if he goes to appeal, such as, "Have you considered surgery?" I have seen the letters which come back, saying he refused to have surgery. The claimant says, "Are you going to guarantee that I am going to be as fit as I was before, as in good health as I was before?" You put a person in that position and he's beaten, regardless of which way he turns. I have initiated an appeal on this same basis, where you are telling him he should have surgery—

Hon. B. Stephenson: Okay, if you have a specific case with this problem, would you bring it to me—

Mr. Haggerty: I am going to bring it to the board but I'll be there at the appeal with him on this other matter and you can have the claim number—

Mr. Lupusella: As a point of order, I think, and I am sorry if I'm going to express my personal opinion, the hon. member is talking on a matter of principle. There is no question that he is talking about a particular case; I can bring so many cases down to the board with the same problem. It is a general problem and that is what the hon. member is talking about.

Mr. Haggerty: It's case after case.

Mr. Lupusella: I have cases, as the hon. member does, with the same problem and I think we should take a look at the principle of the problem. Those problems shouldn't exist. There's no question that I, the hon. member or any member belonging to any party in the Legislature could go down to the board, talk to the Chairman of the board and say, "There is a problem." We are not interested in the individual problem.

I think the Workmen's Compensation Board is supposed to use a different approach to change the principle in order that those problems are not affecting injured workers. The way the minister has been talking—she says if we have any particular complaint about any particular problem, we should bring the problem to the attention of the board. That's not the sense of making criticism against the board. The minister, the Chairman of the

Workmen's Compensation Board and other officials belonging to the board must change the policy and change positions on behalf of injured workers.

Mr. Starr: I might say at this point—I think it is about time we reminded some members who are not well enough acquainted with what has transpired at the Workmen's Compensation Board in the past two years in particular, that prior to July 1, 1974, if a medical report was received by the board that a man was able to do light work he was cut immediately to 50 per cent. We didn't think it was fair. Consequently, we brought in an amendment which became effective on July 1, 1974, that he could remain. There have been policy changes for the better and for the good of the injured worker.

It's not that nothing has been done. I want to put the record straight. We have another problem here which has been brought forward by Mr. Haggerty. It's a problem that I think we have got to take a good long look at to see whether this can be rectified.

Mr. Lupusella: I realize that and I do appreciate your comment, but when we are expressing our particular concern which is related to the case worker we run into, we are expressing the principle of the problem. We are not so much concerned about the problem itself, and I hope that officials of the Workmen's Compensation Board and you, as Chairman of the board, are going to take our criticism as a way of changing those problems which are existing within the board.

Mr. Starr: I'm not looking at them as criticisms. I'm looking at anything that is reasonable and of sound judgement as a suggestion from the members of this Legislature, and I am hoping that this is what I would get. You can imagine the problem, Mr. Lupusella, if you were a provincial member prior to July 1, 1974, the greater problems you would have had with those cases than you have now.

Mr. Lupusella: We have the problems of that kind, and we have different problems now.

Mr. Chairman: Have you concluded your remarks, Mr. Haggerty?

Mr. Haggerty: Yes, I have. I want to introduce a resolution here tonight:

That in the opinion of this committee:

1. The government should immediately move to establish an actuarial study of all benefits available to the injured workmen in

this province. Consideration should also be given to the establishment of a comprehensive accumulation of information concerning these programmes, such as Workmen's Compensation Board benefits, accident insurance, Canada Pension programmes, sick benefits, welfare benefits, bargaining unit programmes and others, as well as the establishment of counsellors to aid the workers in obtaining the benefits due to them;

2. The minister consider the adoption of a new approach in this area; and it seems reasonable to accept a plan integrating all the present programmes of assistance to provide a measure or means of economic security to the injured employee and survivors' benefits.

Mr. Laughren: That's not a bad first step.

Mr. Chairman: You have heard the resolution, all in favour?

Mr. Haggerty: It covers all areas.

Mr. Laughren: Is it in order to speak to the motion, Mr. Chairman?

Mr. Chairman: Actually I have a long list of speakers. I wonder if you want to discuss the resolution now or if you want to go ahead with the members who are here who have indicated that they would like to speak tonight? It's entirely up to the committee. For instance, we have Mr. Mackenzie, Mr. Smith, Mr. Godfrey, Mr. Sweeney, Mr. McClellan, Mr. Warner, Mr. Grande—

Mr. Laughren: On a point of order, if I might, Mr. Chairman. Would it be acceptable to the committee if we left the debate on the resolution to the end of the committee hearings, at which point I would personally very much like to put a minor amendment to that resolution which I'm sure the Liberal Party would accept? Would that be acceptable to the committee?

Hon. B. Stephenson: Can we have a notice of motion about the amendment?

Mr. Laughren: Certainly. I know the Chairman of the Workmen's Compensation Board will accept it, he sat on the task force that recommended it!

[9:00]

Mr. Starr: We could foresee the future.

Mr. Laughren: Yes.

Mr. R. S. Smith: We could deal with the motion and then proceed with the balance of the committee work.

Mr. Chairman: It's entirely up to the committee, but we have a list of speakers.

Mr. R. S. Smith: If Mr. Laughren wants to put forward an amendment to the motion he can do it now.

Mr. Godfrey: Is there an amendment?

Mr. Laughren: The amendment to the motion should—first of all, I'd like to see the motion written out and in the hands of the committee because it's a very substantive motion. My amendment to it would be substantive as well.

I can tell you what the spirit of it would be but I'm not too sure that this is what you want.

Hon. B. Stephenson: I think if you have a major amendment to it perhaps it should be incorporated in the resolution now so that it can be considered with all of the factors involved in it.

Mr. Laughren: Okay. If I was to do that, I'd want to be able to debate Mr. Haggerty's motion in order to clarify it. That's the only problem I have.

For example, if I might, as I understood Mr. Haggerty's motion it indicated that there be a comprehensive accumulation of information and I'm not too sure what that means. I love the word comprehensive, but the term accumulation of information turns my mind, if not my entire metabolism, to cement.

What I was hoping the member was going to do was put forward to the committee that we abolish the Workmen's Compensation Board and in its place establish a comprehensive social insurance scheme as opposed to a comprehensive accumulation of information.

Interjections.

Mr. Chairman: Order, please.

Mr. R. S. Smith: If you listened to the second part—

Mr. Haggerty: Maybe if the study was complete, they might direct it that way.

Mr. Yakabuski: Mr. Chairman, on a point of order. I think that if we had copies of that motion, certainly for the committee to consider, it might be as well to put it off until a later time during these hearings.

Mr. Godfrey: Mr. Chairman, that's not a point of order. May I have the floor? I wish to move to table this until the end of the discussion.

Mr. Yakabuski: I haven't finished, Mr. Chairman.

When the motion does come to the committee there may be further amendments other than the one mentioned by the minister. There might be quite a number of amendments so I think the motion itself is quite important and we would all like to have a copy of that to give it consideration prior to discussing it. I think there could be a number of amendments coming from other members.

Mr. Maeck: Why don't we let Mr. Godfrey make his motion?

Mr. Godfrey: I move we table it until the end of the discussions, setting out an appropriate time for proper reception of any other amendments and discussion at the end of this period which will be Thursday, will it?

Mr. Chairman: It's been moved by Mr. Godfrey and seconded by Mr. Yakabuski. All those in favour?

Mr. Laughren: Wait a minute, Mr. Chairman. Surely we could speak to the motion? Is it not—

Mr. Chairman: I'm quite in favour of it and you could speak all night, but I'm thinking about these other people who have indicated that they would like to be on, that's all.

Mr. Laughren: Is it not safe to assume that we will be sitting until 10:30 on Thursday evening?

Mr. Chairman: I would assume that we will be.

Mr. Laughren: Then we could sit an hour—

Mr. Chairman: But if there's a vote in the interim, we'll have to vote.

Mr. Laughren: Would it be appropriate to set aside an hour or an hour and a half on Thursday? Can we wind up discussion before us by nine or 9:30 on Thursday night?

Mr. Maeck: No. Mr. Chairman, if I might just interrupt for a moment. You will recall that that's the windup of the budget debate and there will be a vote around about that time. I would suggest that you put it a little ahead of that, if you want full time to discuss it, that's all.

Mr. Haggerty: What about 6:30 to 8 o'clock?

Mr. Laughren: Nine o'clock would give us an hour.

Mr. Godfrey: I'd accept that amendment, Mr. Chairman.

Mr. Chairman: All in favour of the amendment?

Mr. Godfrey: Who's entitled to vote?

Hon. B. Stephenson: There are only four people here to my knowledge entitled to vote.

Mr. Chairman: I don't know. The clerk has gone.

Hon. B. Stephenson: Mr. McCague, Mr. Johnson, Mr. Laughren and Mr. Yakabuski.

Mr. Maeck: I'm replacing Mr. Lane.

Mr. Haggerty: I'm replacing Mr. Riddell.

Hon. B. Stephenson: Then there are six.

Mr. Chairman: There are more than that but I don't have the list here.

Mr. McClellan: I don't think Mr. Haggerty is entitled to move a motion unless he's a member of the committee.

Mr. Chairman: He's replacing Mr. Riddell.

Interjections.

Mr. Chairman: Mr. Godfrey has made a motion that this be tabled to the conclusion of the estimates.

Mr. McCague: Does he have any right to make a motion?

Hon. B. Stephenson: No, Mr. Godfrey is not a member of the committee.

Mr. Godfrey: Who am I replacing?

Mr. Laughren: I would move Mr. Godfrey's motion, if that would resolve the problem.

Mr. Godfrey: They have demoted me, but that's all right.

Mr. Laughren: I understood that you were replacing Ms. Gigantes.

Mr. Maeck: I'll second your motion.

Hon. B. Stephenson: Then in that case he does have the right to move the motion.

Mr. Chairman: All in favour of tabling the motion for later discussion? Carried.

Hon. B. Stephenson: You didn't ask for any opposed.

Mr. Chairman: Any opposed to tabling the motion for later discussion? The motion is carried. Mr. Mackenzie.

Mr. Mackenzie: Gee, I've almost forgotten what I want to say; it's been so long.

Mr. Maeck: Pardon me, Mr. Chairman, which motion was carried?

Mr. Chairman: The one to table it for later discussion.

Mr. Mackenzie: I'm sort of glad to see the member for Renfrew—I think it's South—come back in, because when he was defending the minister and her competence in her present job and in managing her charge of the board, I wanted him to know that there's really no question of disagreement on our caucus's part as to her competence, so you're not alone on that, Paul. Political philosophy is another matter, I would mention.

I've got a few questions, Madam Minister, and then a couple of things I want to raise with you. I'd like to ask you why we're into the WCB debate, which I think it a crucial one here, in the last week or the last three or four days of the session? Is this usual practice? Why are we sort of under the gun in trying to finish something as important as the WCB debate, and why are we doing it in the last two or three days of this session of the Legislature?

Hon. B. Stephenson: It was discussed by the three House leaders and the decision was made by the three House leaders about the dates that would be afforded to the discussion of the Workmen's Compensation Board. I had nothing to do with it, absolutely nothing, and neither did anyone else other than the House leaders.

Mr. Mackenzie: Would you not have had some influence in trying to get it on a little earlier in the game?

Hon. B. Stephenson: There are some problems, as a matter of fact, as a result of Bill 139 and estimates of the Ministry of Labour and the problems related to this committee's function, because it did have to hear the estimates of Resources Development, four or five ministries, as a matter of fact, since October 26. I gather that those were the reasons which were considered in establishing the dates for these meetings.

Mr. Mackenzie: The point I'd like to make is that something that is as much of a problem to the members as the WCB is, and it is a problem to members, if nothing else comes through I'm sure that has to, and we should have a little more time and not be under some of the time constraints to get into it.

We were discussing earlier, just briefly, the question of some of the disabled people and the problems we've had with employment, whether they go back to their original employers or not. I'm wondering if you have any figures that compare the percentage of people who are disabled and out of work as against the general provincial average? Have you any idea at all what kind of a situation we're in with handicapped or disabled people, accident victims, you name it?

Hon. B. Stephenson: The problems of the employment of the handicapped are reasonably well known. I am not sure that we have an actual roll of all of the handicapped people in this province who might be employable, but we are attempting to develop that as the result of the action of a multi-disciplinary committee actually related to several ministries which has been developing the numbers of handicapped people, including injured workmen, who are employable in the province of Ontario. That is not completed as yet, however. But it is in the process of being developed.

Mr. Mackenzie: One of the reasons that I am raising it with you is that one of the earlier speakers raised the question of quotas and you voiced your reservations with it. I have them as well, but I am fast coming to the conclusion that the quota route may be the only route open to us.

Hon. B. Stephenson: It may be.

Mr. Mackenzie: I suspect that the percentage of people who suffer some kind of a disablement and aren't working is a hell of a lot higher, at least if the readings I am getting in my constituency office are any indication. They are just not getting placed.

I don't know whether the minister is aware or not, but if Hamilton is not an exception for the province, the word I am getting when I talk to some of the special placement people at Manpower and the offices that attempt to assist people in town is that there is a dry-up of jobs in the last period of time like they haven't experienced in a good many years. As a matter of fact, Dave Warren in Manpower, who is very helpful when you run into disabled cases or tough placement problem cases, tells me that in his many years with the Manpower office he has never seen it so tough as it is right now. And if somebody is suffering some sort of a disability, the chances are just nil—period—of placing him. If that is general, and I am beginning to suspect it is, then we really have a problem with these people.

Hon. B. Stephenson: I think there is a specific problem in the Hamilton area which has been recognized. As you know, the community employment strategy has been initiated in that area specifically and one of the important groups which they are concentrating on is the group of handicapped or disabled workers. Mind you, I don't think they are going to single them out, but the community employment strategy committee in that area is specifically concerned with that problem because of the relatively high incidence in the area.

Mr. Mackenzie: I raised, in connection with that issue—I guess it is close to four weeks ago now in the estimates—the question of a young chap who is an epileptic, by the name of Randy McMann. One of the human rights people here was quick to take down his name and address and phone number and said they would contact him. That is four weeks ago and he has not been contacted yet. These are the kinds of things that happen that bother me when we run into a case like this.

Hon. B. Stephenson: That I will follow up because that one they were specifically asked to look at.

Mr. Mackenzie: One of the things—if you happen to be lucky enough to have an assistant that has some expertise with WCB cases—you pretty quickly get some idea of the problems they are running into. One of the things that bothers our office is why it takes so long to make payments in many cases after a claim has been brought down—or walked down. I am getting this all the time. As a matter of fact, I specifically had my assistant request me to ask that question at this particular session.

Mr. Laughren: It is the term “walking down” that gets me.

Hon. B. Stephenson: I am sorry, I didn't hear.

Mr. Mackenzie: There seems to be a delay on the payouts when you phone and somebody has brought the claim down. Somebody will say that they have X number of claims—I have heard figures all the way as high as 30 or 40—on the desk, and there seems to be a lag in getting the payments to the people even after it is established. And in many cases they are in pretty serious need of it.

Hon. B. Stephenson: For immediate compensation as a result of the injury?

Mr. Mackenzie: Yes. Right.

Mr. Starr: Initial payment.

Mr. Mackenzie: Yes.

Mr. Kerr: When we talk about this subject we have to break down the type of claim into one that is considered to be an uncomplicated claim, and then we have those that are more complicated, requiring investigation, which could be in the form of letter writing or sending out an investigator locally. And in the area of the uncomplicated claims, I think we do very well there, in that with 94.6 per cent of all uncomplicated claims, the initial payment of compensation is paid within three days from the date the employer's accident report has been received in our office.

When we get into the complicated claims where we have to make further inquiries, be it to obtain further information from a number of sources perhaps, or list a claim for local investigation where a field inquiry can be carried out and obtain information in that manner, of course it takes much longer. [9:15]

The recent statistics I have are that in the extended disability compensation section where these complicated claims are handled, 54.8 per cent are paid within 10 working days and 94.4 per cent are paid within 20 working days from the date that we receive notification of accident. All right, those that go through quickly are the ones that you don't hear about. You hear about the ones where there are delays.

Mr. Starr: We get 200 every hour.

Mr. Kerr: And there are delays in payments going through. Right now we have volumes to contend with and we are also in the throes of a great deal of training of our new staff, of our new claims adjudicators. Wherever we run into a situation where a claim has been delayed by a staff member, the supervisor concerned has a talk with that staff member and points out where we have been wrong, if we have been wrong. I am talking about an internal delay, and let's assume it is an internal delay for the moment. There are external delays, but let us assume it is an internal delay.

If we find that our staff member hasn't handled that case in the appropriate manner, then it is the duty of the supervisor and the director to meet with that person and point out what went wrong and what should have been done to handle it more expeditiously. So we are concentrating on improving our method of making payments as quickly as possible.

Mr. Wildman: Could I ask for clarification of that? When you say uncomplicated and complicated claims, are you talking about temporary disability or long-term permanent disability?

Mr. Kerr: I am talking about the initial adjudication; whether or not the claim comes under the Act or does not come under the Act.

Mr. Wildman: So it could be either one?

Mr. Kerr: It could be either one. We have to make a determination whether the claim is under the Act so the benefits can be paid, or if it doesn't come under the Act then we are in the position where we can't make any payments.

And when I say an uncomplicated claim, it could be a serious disability; it could be a fracture or something even more serious. But if it is a clean-cut accident, no inquiry is necessary, the report comes in and it is obvious that the man has been injured at work arising out of and during the course of employment, and we are able to put that initial payment through very quickly. And then we have the type of claim that is complicated. It could be a serious injury, it could be a minor injury. But it is complicated from the adjudication point of view.

Mr. Wildman: Or an illness?

Mr. Kerr: Or industrial disease, yes. But it is complicated from the point of view that we have to make further inquiries. We just can't allow it on information that we have available to us in the first instance.

Mr. Mackenzie: In some cases; I am talking about cases where we have been informed that the payment is going to be made and they'll have it out in the mail today at such and such a time, and two or three days later they don't have it and it hasn't gone out. I would suggest to the minister that she take a look at it. It is a problem, because I rarely get a complaint from my assistant that hasn't got a fair amount of research and information behind it. She is probably one of the best in our caucus on it.

The other thing is; is the sheer volume of claims now a problem with the board? That is what we have begun to wonder.

Mr. Starr: We receive about 1,700 new claims each working day, every eight hours, so it averages about 200 new claims each hour of the day, plus of course we do have the old claims continually coming through.

Mr. Mackenzie: What are we trying to do to handle this then, because it apparently is becoming a problem?

Mr. Starr: We have a larger staff to do this sort of thing. If they were all clean cases, we could handle a lot faster, but they are not all clean cases. In other words, there might be something missing that would not permit us to make an adjudication at the time and we have to have an investigation, and phone calls.

Mr. Kerr: May I respond a little bit to Mr. Mackenzie's question about what are we doing about volume? We have a monthly report on volume, and the directors in the three branches of the claims services division are very much aware of it and we meet to consider what the volume means in terms of service and also in terms of the experience of our people.

We are very concerned about the increase for the month of November, as an example. The figures have been quoted in the committee so I won't repeat them. If the trend continues, we have a watch on that and we have to plan ahead, because it takes three years to train and have a claims adjudicator experienced enough to be at the level where he or she—and we have both—is a pretty good adjudicator, a general adjudicator. Not an expert, but a pretty good general adjudicator. It takes three years.

When we are anticipating, we have to start hiring staff now to train them and we are in that process. Within my establishment, I have provision made for staff as trainees. We are watching this closely from month to month and when necessary, we hire more trainees; if I need permission from the board, I will obtain permission from the board to get more staff to train.

We also feel that, come 1979, we will be in a much better position to handle some of these things more expeditiously in that our computer enhancement will enable us to do some of the things we slip up on once in a while. We feel that the computer can be of more assistance to our adjudicators—not in making decisions, not that kind of thing, not in replacing people—but as an aid to the adjudicator to remind the adjudicator that certain things should be done.

For instance, in our plans for 1979, we want to have a report or notification go out to an injured employee if his cheque was due today and for some reason he can't be paid. We want a notice to go out to him automatically telling him why the cheque hasn't been sent today. This relieves the adjudicator of

one of those things which depend upon the human element.

This is what we do now in many instances but at certain points, when the human element comes in, we want a computer assist to remind the adjudicator that a notice has gone to the man advising him. We don't think the computers will replace people but it will certainly assist us and relieve the adjudicator so the adjudicator can spend more time on other important things.

Mr. Mackenzie: Given some of the delays that we run into, it bothers me a little bit. I hope that sending the notice out to inform the applicant of the situation is not going to mean any further delays. If you have as long a lead period of time in training as you suggest—I don't know how your claims are rising but I know your supplementary awards—which, according to your figures, are 35 per cent of your claims—have gone from 200 to 1,500 in two years; more than that I guess. If that's the case, there had better be a real training programme going on in terms of employees of the board.

Mr. Starr: Continuous.

Mr. Mackenzie: I would wonder what kind of an increase there is in staff. It would be interesting to find out.

Mr. Starr: I made that in my statement. In the past two years we have increased our staff by 400.

Mr. Mackenzie: From what to what?

Mr. Lupusella: Mr. Chairman, On the same topic, can I ask a question? How many claims officers are presently employed by the board?

Hon. B. Stephenson: Claims officers?

Mr. Starr: Do you have those figures?

Mr. Kerr: Yes; we have a total of 147 claims adjudicators. I won't break them down unless you want them but I will tell you where they are. They are in the primary adjudicating section; the extended disability compensation section; there is a no lost time claims compensation section. We have a section at the hospital rehabilitation centre and then we have the fatal and industrial disease claims section.

Mr. Lupusella: A second question, if I may: How many are presently under a retraining programme to become claims adjudicators?

Mr. Kerr: In addition to the 147, we have 25 who are in training as claims adjudicator trainees.

Mr. Lupusella: Twenty-five?

Mr. Kerr: Twenty-five.

Mr. Lupusella: Is the Workmen's Compensation Board aware that some claims officers are handling 400 to 500 cases which are placed on their desks? Is the Workmen's Compensation Board aware of that? I have been talking to some claims officers and they have been telling me that 400-500 cases are placed on their tables in order that they are going to be—

Mr. Starr: Every day?

Mr. Lupusella: Yes, every day.

Mr. Starr: Would you repeat that to Mr. Kerr, please?

Mr. Lupusella: I asked whether or not the board is aware that at the present time some claims officers are handling almost 400 to 500 cases?

Mr. Kerr: The claims adjudicator, as we call him, could have a caseload of 400 but they wouldn't all be on his desk at one time. He has some of those claims for which he has authorized payment for a period of two or three months and it isn't necessary for him to see that claim. The usual caseload is between 200 and 300.

Mr. Lupusella: I have heard the number is higher. That's where the problem is. You are dealing with 147 who are presently employed plus 25 who are under retraining and eventually are going to become claims adjudicators. They have to deal with—I can take your number—200 or 300. I heard a different story—that they are handling 400 to 500 cases and that's where the problem is. My question to the Chairman of the Workmen's Compensation Board is are they aware of this problem because that's where the delay is taking place?

Mr. Starr: Certainly we are aware of this. As Mr. Kerr has pointed out, it does take approximately three years before a person is properly trained to be a first-class adjudicator. Don't forget also that we have had to siphon off from these areas to supplement our area staffs in our regional offices because of their experience. Another thing is promotional aspects; you can't stop them from leaving the claims area or they may just leave the job. There are many reasons we have to supplement them and we try to do this on a continuous basis. Everybody doesn't turn out to be a good claims adjudicator.

Mr. Kerr: I would also to add that we have 33,000 active claims by actual computer count. Using the figure of 147 claims adjudicators which I gave you, which does not include the trainees, if you divide 147 into 33,000, you have a caseload of about 225 per claims adjudicator.

Mr. Lupusella: Thank you very much.

Mr. Mackenzie: Did you have any figures on that 400—from what to what? The 400 increase.

Hon. B. Stephenson: The number of staff.

Mr. Starr: No, I haven't got a breakdown for that. I am sorry. We might be able to get it later for you.

Mr. Mackenzie: Okay. I would like to know, when you say you have increased it by 400, just from what to what it was.

Another problem that we are having with cases before the board is some kind of a communication problem between the regional offices and the head office. Several times in the last few weeks we have got information from the board here on cases but when we call the local office to make some arrangements, we find they haven't got the information. They know nothing about what we have been told by the board in Toronto. In some cases even we have had letters of which they haven't had copies although I think it would be legitimate for them to have letters in the local office. It's the distinct feeling of the people in my office that there is some kind of lack of communication between the Hamilton office, at least, and Toronto. I wonder if you have had any problems with this?

Mr. Starr: I haven't heard of any problems, serious problems. As I pointed out we have put in visual screens which are hooked up to our computers and their service has been increased by approximately 25 to 30 per cent because of this. They are able to get that information. There are other means, of course—there is the telephone if there are any complications whatsoever or they wish to have other than the visual screen giving information for the claimant.

Mr. Mackenzie: We seem to have the information ahead of them in many cases which is what we are really wondering about.

Mr. Starr: I don't understand why there would be any—

[9:30]

Mr. Kerr: Area offices come under my purview, if I may make a comment on that. If a claims counsellor in the Hamilton area office, as an example, Mr. Mackenzie, has an inquiry, he sends it through. Let's say it is an appeal of some nature and it's important but it's something that the claims counsellor in the area office is passing on for consideration. Unless the claims councillor asks to be advised of the decision and he in turn is going to advise the person who made the inquiry, we don't normally advise them of every decision that's made, because unless they needed to relay it to someone who has inquired, we're just creating more work for people.

Where the people in the area office ask for a decision and obviously they're going to pass it on to somebody else, then we deal through the area office. But it is quite conceivable that somebody in an area office could take some information and relay it to the claims adjudication branch and the decision is made and the injured person or somebody informed.

Mr. Mackenzie: The person has come to us in the meantime and we've given them some information. They go back to the local officer and he says, "What the hell goes on? I don't know anything about that."

Mr. Kerr: If there is continuing involvement of the claims councillor, he should be informed, but if it's something where he's just conveying information to the claims adjudication branch, and that's the function he's serving, then we don't clutter up the system by advising him. But if there's reason to advise him, we do.

Mr. Mackenzie: I suggest that you at least take a look into it.

Mr. Kerr: We certainly will.

Mr. Mackenzie: It may be one of the areas where there's a problem.

Mr. Kerr: We'll talk to Mr. Picken and see if there are any problems.

Mr. Starr: Mr. Mackenzie, I have the breakdown for you. The staff distribution in 1975 was as follows: Head office had 1,320 employees; the hospital and rehabilitation centre had 314; the safety associations had 310; and the area offices, 181; for a total of 2,125.

Mr. Godfrey: Excuse me, that includes typists, adjudicators—

Mr. Starr: Everybody.

Mr. Godfrey:—everybody.

Mr. Mackenzie: What period was that 400 increase over?

Mr. Starr: For the year 1975 as compared with the end of 1973.

Mr. Mackenzie: Okay. When you have an appeal hearing before an appeals examiner—I've only gone to two or three of these, but I had an experience recently that bothered me a bit. Is it the usual procedure for that appeals examiner to take a very tough, even antagonistic line with the person that's appealing?

Mr. Starr: I would ask Mr. Reed to explain that.

Mr. G. W. Reed: The answer is no, it is not the procedure.

Mr. MacKenzie: Okay then, if I can give you just a little bit of background, because I guess I've spent a few years trying to live down a rather quick temper and I came closer to ploughing somebody at that hearing than I've ever done before in years. I think that one of the things we're trying to achieve with the board is justice and I always get a little bit worried about crossing all the t's and dotting all the i's in the regulations.

I realize that you've got to establish a claim, you've got procedures to go through and there have to be certain things done, certain conditions met to establish a claim, but I've had some experiences in claims. We don't take a claim lightly and if we find that somebody is trying to con us, then we're pretty blunt with them in my office. To the best of my knowledge, I've been fooled only once since I was elected—we took a case up for somebody and found out afterwards that there had been a previous situation and the board is now dealing with that particular case.

We have taken some up that we figured we might not win before the board but we thought their cases were just and we fought pretty hard in some of these cases. Quite frankly, two or three that I thought were just but I didn't expect to win, we won.

On the other hand, we had one just recently—the chap's name was Moffett, and he lived on Aberfoyle in Hamilton—where as far as I'm concerned justice wasn't done. I'm not sure that the case could be proved. In a nutshell, it's a chap who had been injured at Dofasco, who had fallen, was on compensation for a period of time—about a year and a half was involved—went back to work, had

continuing pain and worked three days, when he was taken home again.

To make a long story short, the second time he was off he wasn't on compensation and this was the basis of the appeal. While he was off, one of the specialists he was sent to suggested, as a possible means of checking into the situation, some exploratory surgery and it was explained to him that there was no guarantee of what was going to happen, but when they did the exploratory surgery, they found what they call—and I have no idea what it means—a McVeigh hernia and they repaired it. He had, I think, a five-week recovery period after that, and after better than a year of a hell of a lot of pain at home, he was back to work—and it's a very heavy job—and not a particle of discomfort since.

Personally, I have a suspicion that one of the things that bothered the board was the fact that while he was off the second period and while he was in recovery, he also had a vasectomy done, because it was mentioned and it seemed to be part of the line of questioning. But the two doctors who were involved had both told him it was okay, it was something he and his family had planned for quite some time. He had an absolutely perfect work record, no lost time, no previous problems in being off work except for this one period of time.

At the hearing—and this is what drove me up the wall—the appeals examiner there wanted him to get up off the chair, which he did, to explain how, in standing up on this scaffold, using this heavy piece of equipment—he actually worked on elevators but they were repairing a door on an elevator—how he had fallen and exactly how he landed. The injury was a groin injury, because one of the boards had tipped over and he'd landed on the groin and fallen from there to the ground with severe groin and testicle damage.

The examiner wanted to know exactly how far out he'd stepped and he had the chap, who was about 33 years of age, really rattled within four or five minutes. The more he went at it, the nastier he got. How had he fallen, exactly? Was he still holding the drill? What position was he in? Some of the questions, quite frankly, were ridiculous and the chap's there and his wife's there and she is damned near in tears. I never saw a claimant treated quite that way and as I say, I held my temper with difficulty at that particular hearing.

When we got the decision back, that the claim was denied—and we're appealing it now—the thing that interested me was one little sentence in the report back from your

board and that was that there was no question of the veracity of the witness. "No question of the veracity of the witness."

My whole point is; is this a general procedure that you browbeat and harass a person? Are you trying to trip him up into something or what, in one of those hearings?

Mr. G. W. Reed: No.

Mr. Mackenzie: See, the point I'm trying to make is, in that person's mind, in the mind of his wife who sat there—whether technically we had a problem, and I understand hernia cases can be a problem, whether this was a result of the original accident or what not—the facts are that the pain disappeared immediately after the repair and there's been no problem since, but the fact is that as far as he's concerned, there was no justice in that hearing at all. And I don't think there was either. I'm not sure whether or not it should have been denied or not on the technicalities. All I'm saying is there sure as hell was no justice in terms of the worker and his condition and what he and his wife thought at that hearing.

Mr. G. W. Reed: May I first say that one of the key functions of an appeals examiner is to gather information, and let me say secondly that it is certainly not unusual for an appeals examiner, or indeed for an appeal board when a claimant appears before them, to ask the claimant to describe the accident. That's certainly not unusual. As I gather it, what you're saying is the manner in which this was done is the reason for your—

Mr. Mackenzie: I was expecting some tough questioning, quite frankly. I wasn't expecting what happened at that hearing.

Mr. G. W. Reed: No, no, but you're saying that it was the manner in which it was done and I would say to you, without knowing what went on, that certainly it is not the function of an appeals examiner in the normal course to antagonize or browbeat a claimant. I think I can safely say that is not the way appeals examiners generally act, if indeed he acted in this fashion. I think this is a matter that you should bring to my attention specifically.

Mr. Mackenzie: I guess I'm doing that, right now.

Mr. G. W. Reed: All right, and I will take it from there and be further in touch with you when I've had an opportunity to find out what happened and who was involved.

Mr. Mackenzie: Is there any attempt by the board or is it a conscious decision of the

board, in effect, to get tougher and deny more claims in recent months?

Hon. B. Stephenson: The one thing that might be said is that I think there are probably more employers contesting more claims in the last several months than there have been previously, but indeed the philosophy or the policy of the board—

Mr. Starr: They are challenging more claims than they have in the past.

Mr. Mackenzie: Is there any internal dispute over the position the board is taking?

Hon. B. Stephenson: Internal? Not to my knowledge.

Mr. Starr: Not to my knowledge either.

Mr. Mackenzie: Are you presently short of claims investigation officers?

Mr. Kerr: Yes, we are a few short. We had several leave to go to other jobs and we have been switching around some of the claims investigators from the central area to help out in other areas. We expect that for the next month to six weeks it will be a little tight on investigations, particularly, as the minister mentioned, since more claims are being challenged by employers and in more cases we find it necessary to conduct a local field investigation. We do not automatically conduct a field investigation when the employer asks for it unless it is the feeling of the adjudicator that from the information on file such inquiries should be carried out.

Mr. Mackenzie: The answer is yes, you are presently short.

Mr. Kerr: At the present time we are short.

Mr. Mackenzie: What about Hamilton?

Mr. Kerr: Hamilton is one of our problem areas at the present time, sir.

Mr. Mackenzie: Are you short of rehab officers?

Dr. McCracken: No, we are not.

Mr. Mackenzie: What about Hamilton?

Dr. McCracken: No.

Mr. Laughren: Are you serious?

Dr. McCracken: Yes.

Mr. Wildman: Does that include the north?

Dr. McCracken: Yes. Put it this way—and I presume it's what you are getting at when

you ask am I serious—the present case load for rehabilitation counsellors in my opinion is still unacceptably high. This is not the way to solve the ultimate problem; i.e., we finished training this year a further 14 rehabilitation counsellors. We are up to a complement now of 86 rehabilitation counsellors, plus our specialist staff, plus the supervisors, plus the administrators in the area offices.

The way that we can bring the case load down is by more expertise being injected in to assist the rehabilitation counsellor to deal with the chronic cases, the long-term cases, which are taking up so much of his time and her time that they can't address themselves to the relatively short-term cases which have a high success rate.

So, yes, we have enough rehabilitation counsellors. No, they are still carrying too high a case load.

Mr. Mackenzie: How are rehab officers paid as against claims investigation officers? Who is paid the higher rate? Are claims investigators paid a higher rate of salary than rehab officers?

Dr. McCracken: I believe so, but I couldn't say for certain.

Mr. Mackenzie: If that is the case, and this is my understanding, would you consider that legitimate, claims investigation officers being paid more than a rehab officer?

Dr. McCracken: Several years ago we had an in-depth evaluation at the board so that we took a look at the responsibilities of all the various groupings in the board and tried to relate one with the other as it pertains to their level of expertise, level of responsibility and level of knowledge required. Having gone through that exercise, the final recommendation slotted the rehabilitation counsellors where they are and similarly slotted the claims investigators where they are.

Mr. Mackenzie: A comment on that, Madam Minister. A good rehab officer is worth his weight in gold as far as I am concerned—a good one—and I know that you have lost some recently to the claims job simply because of the higher pay.

Mr. Kerr: May I comment on that? Indeed, it is just the opposite. The flow is the other way, which is of concern to me in claims.

Mr. Mackenzie: In Hamilton?

Mr. Kerr: I am talking about claims adjudicators at head office where they are making these decisions, which we want done ex-

pertly, and every time somebody is promoted from the job of claims adjudicator to another job such as a rehabilitation counsellor—and I agree with you, sir, that's a very important job—but every time I lose somebody like that I lose something that really hurts me although it benefits the other part of the organization. We have a policy of promotion from within, so who would I be to stand up and say nobody can have a promotion, that's out? But every time somebody is promoted from claims adjudicator to another job in some other branch or division, we suffer.

Mr. Mackenzie: Did you say it's a promotion from claims to rehab?

[9:45]

Mr. Kerr: Yes, sir, it is. From claims adjudicator, not the claims investigator. I think they are on the same level. I would have to check that, but certainly to go from a claims adjudicator, not at our senior number one level, but the claims adjudicators II and III go into rehabilitation. They carry with them some experience that will help them in rehabilitation. So it is not quite as easy as it sounds, it's a difficult problem.

Mr. Godfrey: How long does it take for a broken heart to mend?

Mr. Mackenzie: I am just wondering if the minister is aware that we had some mention here tonight of light or suitable employment and really got no comments other than it is another thing that is very difficult to deal with. You get somebody classed at many plants as suitable for light employment and it's almost as bad as a death sentence in terms of compensation, because you either end up out or there is just no job there. In one case I can think of right now, at Firestone, a chap has gone back four times to light work, the longest period was about three weeks, and four times he was back lifting heavy tires because it was the only thing that was there and it was the only way he kept his mortgage payments up.

I think we've got to take a look at this. I appreciate the fact that you say you've increased the special allowance or the compensation, but getting a ruling that a person is suitable for light employment scares the hell out of most people who have any experience now with compensation cases. I am wondering, Madam Minister, if you have given any further thought to a broadening of the board's activities in the field of industrial health and safety?

Hon. B. Stephenson: Could you define what you mean by broadening the board's activities?

Mr. Mackenzie: Into some kind of a monitoring process, such as in the case that we have been hassling over in Hamilton recently, the Hamco case, checking out, doing some of the investigative work or follow-up on the cases that are coming to light?

Hon. B. Stephenson: We have looked at this problem and I think it is the board's position that under the Act they don't have that capability. I would perceive that as one of the roles of the occupational health and safety branch of the Ministry of Labour, and hopefully that is the area in which some new initiatives will be developed within that branch once it is established and functioning.

Mr. Mackenzie: Can I suggest also to you, Madam Minister—

Hon. B. Stephenson: May I say that in so doing we will most certainly be making use of the information which the board has as a result of the claims which have been established there and the index of suspicion regarding certain plants will of course be raised as a result of the board's experience.

Mr. Mackenzie: The point I would like to make is that when you talk about the lead time in getting medical schools to recognize the need to train doctors in the field of industrial health and safety—

Hon. B. Stephenson: Do you know how long that lead time is for medical schools?

Mr. Mackenzie: I heard you earlier.

Hon. B. Stephenson: Ten years.

Mr. Godfrey: Do they have to be doctors?

Hon. B. Stephenson: No, I am not saying they have to be doctors. We have, as you know, established some courses in conjunction with certain unions at Humber College which are functioning as very good pilot projects which we intend to expand into other community colleges, because we think that is the level at which a good deal of this can be done.

Mr. Warner: You can use some of those nurses you didn't have jobs for.

Hon. B. Stephenson: Yes, I'm still—

Mr. Mackenzie: I think that had we taken a closer look at some of the indicators and done some monitoring of what was develop-

ing in the whole field of industrial health we might have woken up a little sooner than a year or two ago, as I heard you mention, that they really began to start training more doctors in this field.

Hon. B. Stephenson: I would be excessively optimistic, Mr. Mackenzie, if I thought that that might have happened, because I think that, along with Mr. Godfrey, I have been making loud noises about the dearth of gerontologists in Canada for somewhere between five and 10 years, and it hasn't had that much effect on medical schools yet, I can tell you.

Mr. Mackenzie: I have a reason for that, Madam Minister. I have been doing some work in this and I have a specific case I want to go through with you as well. I picked up a little publication that goes back to October, 1961, and I guess maybe I should have remembered. I go back that far, but I'd forgotten; memory sometimes fails me these days. But simply, I think three or four of the paragraphs in it are worth putting into this discussion. It says:

"In this regard the McAndrew commission follows in the path of an earlier royal commission—that of Mr. Justice Roach on the Ontario Workmen's Compensation Act. The Roach report, issued in 1950, stressed the importance of joint participation by management and labour in accident prevention and pointed out that as between the two groups the workmen are much more vitally interested than the employers.

"If a workman is maimed, the employer has to pay the compensation, but no monetary allowance can ever adequately compensate a workman who has to go through the balance of his life minus an eye or a hand. The Roach report strongly recommended that joint safety committees be required in every operation with 20 or more workers"—I found that interesting—"along the lines of legislation that has been enforced in BC for several years. Similar legislation . . ." and so on.

Among the major recommendations of the McAndrew commission are these. I won't read them all, but two or three of them I thought were interesting: "Special legislation to cover logging where the accident rate is 50 per cent higher than any other industry and sawmills; special regulations for flour mills where serious danger of dust explosion and fires exists; special regulations to require immediate installation of dust control equipment by December 31, 1962; grain elevators with inspection at least every three months; amendments to The Factory, Shop and Office Building Act, to set maximum

limits determined according to medical principles and the weight lifted by women workers." I have a case of a woman worker and lifting right now. It's in the process of going before the board.

"Labour department safety inspectors should be required to hear employee complaints and ask management and labour representatives to accompany them on their inspection tours. Accident prevention associations should be placed under the direction and supervision of the Workmen's Compensation Board. Legislation should require the establishment of a joint safety committee in every plant or operation with 20 workers or more"—50 again in the McAndrew Commission report, 1961-62. "These committees should be empowered to inspect conditions for hazards, to investigate and report on complaints and accidents, and carry on an educational activity."

Mr. Wildman: Sounds familiar.

Mr. Mackenzie: It goes on further here, just to wind it up, by saying: "Without minimizing the value and importance of the commission's recommendations it is obvious that it did not cover all aspects of the problem of safety and health on the job. Industrial diseases resulting from materials or processes in industry remain largely untouched. The role of incentive systems in driving workers to take dangerous short-cuts has been underlined by many unions. A union brief some years ago told the Ontario Minister of Mines that 'experienced miners contend it is almost impossible to earn bonus if every safety practice is observed, and definitely impossible for the foreman to meet production quotas if every safety rule is rigidly enforced.' The same thing is true in some other areas of railway operations as well as in other fields."

Get this, Madam Minister: "The new and growing hazard of radioactive ionization in industry has begun to receive attention and action from Workmen's Compensation Boards in some provinces, but much more needs to be done."

That is October 1961, quoting from a publication. I just really wonder if people have some reservations as to why we sometimes feel a little bit bitter or wonder about the reliability of various ministry programmes. I wanted to use that to go over this case, which is the case, as you know, that opened up the current situation at Hamco. I'm not criticizing, I'd just like a few answers.

The original request to John Lennie of local 1005 came on April 21, 1975, and it's a

letter: "Following are questions you required of my late husband Mr. Harry Hayashi, for my daughter. There are a couple of things I do not remember but I authorize you to check wherever necessary in order to get the information required." It goes on to list what information she could give, including where he had worked and how many years.

On April 24, 1975, a letter was sent into the board: "Mr. Hayashi died of lung cancer, December 2, 1966. Mr. Hayashi was an employee of the coke oven department from 1952 until December 2, 1966. His family doctor was R. T. Miya, Hamilton"—phone number—"his specialist was"—so and so. "On behalf of Mr. Hayashi and family, local 1005, USWA, claim there is a relationship between the lung cancer that caused his death and his exposure to coke oven emissions from 1952 until the time of his death. Will you please inform Mrs. Hayashi and family of their rights under the Act."

I'm not sure if there is any correspondence in between; I haven't been able to find any. But there was a letter on April 15, 1976, a year later, and I want to read a couple of paragraphs out of it. This is from the board: "This claim has been referred to the review branch for consideration of entitlement. As you may know in order to qualify for compensation benefits it must be shown that there was personal injury by accident arising out of and in the course of the employment. The definition of accident also includes industrial disease which means any disease mentioned in schedule 3 of The Workmen's Compensation Act and other disease peculiar to or characteristic of a particular industrial process, trade or occupation."

I think the next two paragraphs are important. They lead me to question the investigative procedures you go through.

"To ensure that full consideration was given to this claim we conducted an on-the-spot field inquiry and also obtained the necessary medical and hospital records. The information presently before us shows that the late Mr. Hayashi worked in the coke ovens of Stelco from July 25, 1961, until November 4, 1966. The cause of death is given as an undifferentiated bronchogenic carcinoma of the left lung.

"The adjudication branch and the review branch of the claims services division undertook a complete review in addition to the review in detail by the medical branch. It is the medical opinion that Mr. Hayashi's exposure at the coke ovens is not sufficient to warrant consideration for carcinoma of the

lung to be attributable to his employment in the coke ovens.

"Consequently, we regret that we are unable to grant entitlement to death benefits under this claim." It goes on to say that it is open to appeal.

That's a year after the original, April 15, 1976. On April 27, 1976, on behalf of Mr. Hayashi, John Lennie appealed the decision and stated that from 1952 to 1961—remember this was in the original letter to the board and they came back saying he was only there from 1961 to 1966—"He was an employee of the Hamilton Byproducts Coke Ovens. This company was bought out by the Steel Company of Canada. Mr. Hayashi was transferred from the Hamilton Byproducts Coke Ovens to Stelco's coke ovens sometime in July, 1961, and worked there until his death in December, 1966. Therefore he was exposed to coke oven emissions for a period of 16 years."

A week later the board acknowledged that letter. A month later, on May 17, it came back to Mr. Lennie and said "The late Mr. Hayashi was employed by the Hamilton Byproducts Coke Ovens. The company is no longer in business. Have you any information as to where the employment records are for this firm? It is essential that we establish employment history between 1952 and 1961."

Long before then the board should have been checking more into that as far as I'm concerned. That is when we went to work—or when Mr. Lennie and Dave Tims went to work—on the local and chased down three fellow workers. They went out and got affidavits from them as to the period of time, where and when they worked alongside this gentleman in those particular coke ovens. Those were submitted to the board on May 31.

It takes an awful long time for the board to get letters out. It's usually only a couple of weeks; at least in this, once we were on to this case, they got the replies back and did the work on it. It did take a little digging, Madam Minister.

That was May 31. On September 9, the board granted the award, a pension and a payment made.

I want to read the first paragraph in particular of this particular judgement. "In our letter of April 15, 1976, we advised you that this claim was denied. Subsequently an appeal was made on your behalf from Mr. Lennie of the United Steelworkers. We therefore made further inquiry. Evidence obtained from this inquiry was reviewed and a decision reversed with payments being issued to you."

I suspect that the only evidence was the information dug up by Mr. Lennie. It sure as blazes wasn't from any investigation the board did that we've been able to find.

Mr. Laughren: The board took the credit in the letter.

Mr. Mackenzie: When I ask you what steps were taken to follow through on this, I'm serious. We're now digging into a seniority list in that particular plant.

The minister may be interested to know—I'm not sure where we'll end up—that we had four additional families call us today. These aren't verified because we haven't got medical records. One of them is the family of a previous superintendent of that plant. They are also claiming that their husbands or fathers had died of lung cancer and had worked in that particular plant. The letters we've sent to the board, whether they are officially claims or not, were at 13; that gives us another 16 or 17 which we're currently working on, which is damn close to 30 in that particular plant.

My point is when is the board going to take some responsibility in a case like this? Have you as yet sent anybody from the board even to talk to John Lennie over these particular cases since they have been raised?

Mr. Starr: Dr. McCracken, can you—

Dr. McCracken: Mr. Kerr wants to say something here first.

[10:00]

Mr. Kerr: In regard to the last question, yes, our team co-ordinator, Mr. Larry Carr, who is handling these claims, was in touch with John Lennie. Mr. Lennie said he had sent new claims to us on December 6, 8 and 13. New claims had been set up for these particular cases that he had sent to us and he said there were further coming. He had the names of at least five more and said he would be sending them along to us within the next few days. These cases will be inquired into just as quickly as we can.

Mr. Mackenzie: What I'm simply saying is, is it asking too much of the board to have a couple of your people go down to that office and check over the seniority list we've got, the statements we've taken from people, what they've done to date, the names? Is that not at least a responsibility of the board in a case like this?

Mr. Kerr: No, it's not asking too much, sir. We're working with Mr. Lennie, and

Mr. Lennie said he would send us the material. We have the highest regard for Mr. Lennie. He has suggested we wait till we get the material from him. If he would like us to go to his office, we're certainly available to do that, sir. We'll do whatever is asked of us.

Mr. Mackenzie: He informs me he'll do anything he can to co-operate with you. I'm just wondering if you had suggested that you go down and have a talk with him or not.

Mr. Kerr: No, he suggested he would send the things to us so we could set up an official claim, and then carry on from there. But Mr. Lennie has a good relationship with the gentleman—

Mr. Mackenzie: There's no question about the work he's done.

Mr. Kerr: Yes. Mr. Lennie is doing a good job, yes, and we have the highest regard for Mr. Lennie, there's no doubt about that.

Mr. Mackenzie: I just want to wind up. There are reservations in a lot of our minds. Whether some of us can put it very effectively or not, I don't think it's any particular hyperbole or anything else. We have a real concern with what's going on at the board, and some of the shortcomings that appear to us to be there. I think there are problems with the board, very frankly, and I think there is a necessity for one hell of a lot more expansion out into what's happening and going on in some of these particular cases.

Mr. R. S. Smith: I just have a few questions I'd like to ask of the minister and perhaps of the Chairman of the board. I won't go through the whole process of what seem to be the problems at the board in so far as dealing with new claims and the reopening of old claims are concerned, but the time element is certainly a source of worry to many of us. I think everyone here today who has spoken has expressed this, either at one point or another, in his questioning from time to time.

We went over this same thing last year and the year before and there really doesn't seem to be any difference or any change in so far as dealing with claims as they come in is concerned. I think the board Chairman will remember that last year I went over this quite thoroughly with him, and we arrived at the fact that there were problems within the administration of the board in

so far as dealing with new claims and the reopening of old claims were concerned. I really don't find there's any difference now from what there was a year ago. I can't find a difference at all.

My office here, my office at home and myself are now doing about three times as many workmen's compensation cases as we did three years ago. I don't know if your work load has tripled in that three-year period—the number of cases you take—maybe it has. Of course, I suppose that would reflect in what would happen to each member. I'm not too worried about what the members do or the fact they have to look after these things because that's what we're elected for. But it does bother me that the claimants are being treated in the way they are, and that it takes so long for them to get a decision from the board.

I'm not one who writes to the Chairman of the board every second day. I feel I should be able to get satisfaction out of the people who work at the board, and in many cases I don't and in many cases I wait two weeks to get even a reply to my phone call. I've been here 11 or 12 years, I can remember when I used to phone and the next day I would get a reply; I would get a full reply and I could discuss it with the person. Many times, within a day or two, a change could be made.

That's not the way it is today. It just doesn't work that way. I think anybody who's been here any length of time knows that; when you phone there you're dealing almost with a eunuch and that you're going to get back a sort of set reply within about 10 or 12 days, or maybe a little less. Of late, the last three weeks or so, I suppose with these things coming up, it's come a little quicker, but generally speaking, it's the most frustrating place to deal with in all of government. I'm sure that the other members feel exactly the same way as I do.

I just bring to your attention one recent case and it's the only case I've written to you about this year. But I'll tell you, I got a reply from you that is excellent as a political reply. Since we're all politicians here we can recognize political replies, and that is an excellent political letter. It's not too bad we're not dealing on a political basis, but that's what it is.

This gentleman brought this matter to the board's attention on June 25. To this date he still does not have a hearing, but a hearing has been set for December 20 before the appeals examiner. So it has taken him six months to get to the appeals examiner.

Obviously, we're going to have to wait from then on for their reply, or his reply, or the decision that is made based on what the appeals examiner takes. Then obviously we're going to have to take it to the board and that will take another three months. We'll wait another six weeks for a reply or two months, from the board, so we'll be into a full year where this case has waited for adjudication of his application for benefits.

If this was a very complicated and difficult case, and if you wanted to put it in to a difficult bracket, I would say well, maybe three or four months is okay; but a year, in any case, is terrible as far as I'm concerned, particularly when it deals with a straightforward type of case like this, even if you want to put it in the difficult bracket, but this is not a difficult case.

The fact of the matter is, the doctor involved has written to the board, he's phoned the board and he's written them again to indicate to them that in his opinion, and the opinion of the specialist who saw this gentleman at the same time and who performed an operation on him, that his present condition is as a result of his injury in 1974. No other medical evidence has been brought forward, except that of the specialist and the general practitioner. This was not good enough for the board. It usually is good enough for the board if in fact it's on the other side of the fence, but if the general practitioner and the specialist say, and I quote from the letter: "Dr. Yadav and I both feel that this man's surgery is the result of his injury dating back to July of 1974."

I think that's pretty clear, concise, medical evidence from this general practitioner and from the orthopaedic surgeon who did the surgery. But this is ignored completely.

Mr. Laughren: It's called the benefit of the doubt.

Mr. R. S. Smith: The benefit of the doubt is against the man to start with; even with medical evidence it's against the man. And there's no other medical evidence involved here at all. He started his case on June 25, I became involved in September. I talked to the general practitioner—in fact, he's the one who called me when he didn't get a reply to his letter, and he found that his phone call was in vain. He's one of the few of your profession, Madam Minister, who is very co-operative in filling out forms for the board. Many of them are hopeless, but this fellow is very co-operative.

Hon. B. Stephenson: I made that remark last year about Mr. Warner, so Mr. Smith is simply repeating it.

Mr. R. S. Smith: I think I said it before you did.

Hon. B. Stephenson: You may have said it before I was here, yes.

Mr. R. S. Smith: But we're not playing one-upmanship, we're playing with this guy's life and the fact that he's been on welfare for a period of four and a half months now at \$380 per month. He has a wife and two children and he's paying \$220 a month rent, which leaves him \$160 a month to live on with a wife and two kids. His children did not go to school for a period of time this fall because they couldn't afford to buy overshoes or boots to send them to school in the snow. That is just how serious this matter is.

I have done everything I can with the board. I have written to the Chairman; the medical evidence has been provided to them; they have come up there and they have done their investigation—the results of which I have no idea, nor does the complainant have any idea, nor does the doctor, except that the doctor has told me that if they send one more person into his office he is going to literally throw him out on his head because he is sick and tired of this type of treatment from the board. If the board does not want to believe him, and does not want to believe the specialist, let them get their own, or refer this person to someone else.

But I am telling you that this is not an isolated case I bring forward. These cases go on all the time, and I would like some explanation, and not this political reply that I got from Mr. Starr.

Mr. Laughren: Do you want to read that political reply to us?

Mr. R. S. Smith: I have outlined the case to you, and I wrote to Mr. Starr indicating the problem, and he wrote me back. I wrote him on November 18; he replied to me November 24, saying he would look into the matter. On December 2, I got a reply that said:

"Further to my letter of November 24, I have now had the opportunity to review Mr. 'So-and-So's' claim and I am pleased to communicate with you. I have spoken with the counselling specialist and he has assured me that following your conversations he discussed the case with the appeals branch." I am leaving out the names here. "Their decision is that an appeals examiner inquiry is necessary to ensure that all pertinent details have been secured and as you know this has been scheduled for December 20."

I knew that very well. That is what I was writing about, because I didn't want the man living on \$160 a month with his wife and two kids for another two months.

Mr. Wildman: Christmas is coming.

Mr. R. S. Smith: Yes. That doesn't matter:

"Your letter of November 18 pertaining to your concern of a delayed decision following the appeals examiner inquiry has been brought to the attention of the appeals branch. Please be assured that a decision will be reached at the soonest opportunity possible and you will receive appropriate notification. Thank you very much."

The person who is waiting to get the hearing and the decision in the meantime is living not only off welfare, because it is not providing him nearly enough to live on, but he is living on the goodwill of other people, whereas he should be treated in a much better fashion than that by this board.

Mr. Starr: What was the date of that letter to you?

Mr. R. S. Smith: December 2.

Mr. Starr: And there hasn't been a decision yet?

Mr. R. S. Smith: No. There hasn't even been a hearing yet.

Hon. B. Stephenson: The hearing is on the 20th.

Mr. R. S. Smith: And the evidence that is there is obvious evidence. If it was on the other side, you would accept it against the person; there is no question about that. So it is almost double jeopardy to deal with the board in this regard, because it is a no-win situation. If you have good medical evidence, they question it. If you don't have good medical evidence, they use it against you. So what is the point?

Mr. Starr: What is the claim number?

Mr. R. S. Smith: C99-3136. And the other one—there are two claims involved, they are old claims from 1974—is C100-81376.

I am almost positive that the attachment of the present claim of the workman is to the first number.

Mr. Laughren: In this case it will get resolved.

Mr. Starr: It is not a question of resolving anything.

Mr. Laughren: It is so. It will be resolved because Mr. Smith raised it in this committee hearing, that is why it will get resolved, and for no other reason.

Mr. Chairman: Order please.

Mr. Starr: It is a question of setting a date for a hearing.

Mr. Laughren: Oh baloney on that business of it is a question of setting a date.

Mr. Starr: Well it is. Mr. Smith can vouch for that.

Mr. Laughren: You have the medical information, there is no need for a hearing.

Mr. R. S. Smith: You have the medical evidence.

Mr. Laughren: Every year it is the same thing.

Mr. R. S. Smith: The medical evidence is there. He may have need for appeal if it was the other way around, but the medical evidence is there to show. And both doctors say they connect it with the previous injury. And you have no other medical proof to disprove that.

[10:15]

Mr. Laughren: Some of us have been here before.

Mr. R. S. Smith: This happens all the time and this is what bothers me. What is good for one side is not good for the other, and you play both sides of the street. You can't do that with people. In this case that is exactly what is being done.

I have spoken with the doctor involved on a number of occasions and he is so irate that he is going to become one of those who says, "To hell with filling out these forms. Why fill them out? They don't pay attention to them anyway." That is what turns people off. But that is not really the particular problem.

Mr. Chairman: Have you concluded, Mr. Smith?

Mr. Lupusella: Better have a hearing about the cases—

Mr. Chairman: Order, please.

Mr. Starr: Why don't you get Mr. Lupusella to represent this fellow?

Mr. Laughren: What kind of cheap shot is that?

Mr. Lupusella: It is not my duty to come down there.

Mr. Starr: All I thought was he would like to represent him.

Mr. Lupusella: It is not my job.

Mr. Chairman: Order, please. Mr. Smith has the floor.

Mr. R. S. Smith: It doesn't really worry me who represents the fellow as long as he gets justice. He is not getting justice and that is what I think is most significant, not whether Mr. Lupusella or I represent him.

Mr. Lupusella: I would like not to see those problems in the first place, in order that we don't—

Mr. R. S. Smith: That's right, but the point I make by bringing this one to your attention—and this is only one; I am telling you I have a carton full of them down here and I have the same in my office at North Bay. I deal with your people on a consistent basis, on a daily basis, and we never seem to get ahead. In fact, we are farther behind every month.

The point is that many people like this fellow would likely have to wait one full year before getting a decision on what is a simple, rather straightforward case. Even if it is a difficult case, the fact that he would have to wait a year is almost unbelievable. If he has to wait over three months it is an injustice and if his family has to live on what they are living on it is criminal.

I am telling you there is a responsibility with this government and with this board to see that this does not happen to people. This is only one case. There are many like that. They phone that North Bay office and they are told, "We don't know what has happened. We haven't heard back," Or, "The file is lost."

They phone Toronto; they never get phoned back. This goes on day in and day out. They come to me with dates when they phoned; they have them listed. They say, "We don't even get calls back." This goes on all the time.

I don't blame the North Bay office because they get on the Telex or the telephone and try to get information out of here. They don't get it out of here. The problem is here in your central location. That leads me perhaps to two or three significant questions. The 400 new people you have taken on staff, where have you put them?

Mr. Starr: They are working in various areas. I gave a breakdown of where they are.

Mr. R. S. Smith: No, where the totals are.

Mr. Starr: The biggest increase has been in area offices.

Mr. R. S. Smith: There are only 181 in those offices now. You hired 400 new people and there is a total of only 181 in them. The biggest increase couldn't have been there.

Mr. Laughren: They can't make any decisions.

Mr. Starr: We increased that, I think, from 50 to 181. That is substantial when you consider there are eight area offices. It is a substantial increase.

Mr. R. S. Smith: Is there any plan to remove the process of decision-making from that great tower at 2 Bloor Street, out to the eight regional offices so that people can go in and talk to people or can get answers from people who are making the decisions; instead of them being behind some kind of a façade and the file is either lost or is in transit between floors 11 and 12? I have heard them all.

Mr. Laughren: I think they should move the head office to Burwash.

Mr. R. S. Smith: People should be given the right to go to a place where they can get a decision. Are there any plans to—

Hon. B. Stephenson: The claims investigators do investigate at the regional level and some of the examinations are carried out at the regional level. They are then transmitted to the central level for decision making. That is the programme at the moment.

Mr. R. S. Smith: There are no claims investigators in northern Ontario.

Mr. Starr: Mr. Smith, I wonder if Mr. Kerr—

Mr. R. S. Smith: Do you know where it is? It's up there—

Hon. B. Stephenson: I know very well where northern Ontario is, Mr. Smith. I have spent a great deal of time in northern Ontario, as a matter of fact.

Mr. R. S. Smith: How long ago have you been there?

Hon. B. Stephenson: How long have I been there? For varying periods of time.

Mr. Lupusella: Just travelling around?

Hon. B. Stephenson: No, not just travelling around.

Mr. Chairman: Mr. Smith has the floor.

Mr. R. S. Smith: How many claims investigators are there in northern Ontario?

Mr. Laughren: Do you know how many claims investigators there are in northern Ontario?

Hon. B. Stephenson: I have only been underground once.

Mr. Chairman: The vote is taking place in three minutes' time so that doesn't give us very much time. Is the committee willing to meet at 10 o'clock in the morning?

I think we may as well adjourn now until 10 o'clock in the morning.

Mr. R. S. Smith: Perhaps I could get some answers to this in the next three minutes. Have you got an answer—

Mr. Kerr: Mr. Smith asked how many claims investigators we have in the north. We have two working out of Sudbury at the present time and we have one working out of North Bay at the present time.

Mr. Wildman: What about Thunder Bay in northwestern Ontario.

Mr. Kerr: Thunder Bay? We have one claims investigator working out of Thunder Bay. We have other staff.

Mr. Wildman: Does he cover to the Manitoba border?

Mr. Kerr: That's right. We have other staff there but we just have one claims investigator there.

Mr. R. S. Smith: Why was the claims investigator sent from Toronto to investigate this claim if there already is one in North Bay?

Mr. Kerr: I don't know. All I can suggest is either the regular claims investigator was sick and a relief man was sent in or he had a heavy case load and someone from Toronto was sent up to give a hand. We have a total of 31 claims investigators throughout Ontario working out of the eight area offices and the head office.

Mr. Wildman: Do you have any in the Sault or Timmins?

Mr. Kerr: No, Timmins is covered by North Bay and Sault Ste. Marie is covered from Sudbury.

Mr. Chairman: For the information of the committee, Mr. Smith informs me he hasn't concluded his remarks.

The committee adjourned at 10.23 p.m.

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McCague, G. (Dufferin-Simcoe PC)
McEwen, J. E. (Frontenac-Addington L)
McNeil, R. K.; (Chairman Standing Committee) (Elgin PC)
Moffatt, D. (Durham East NDP)

Newman, B. (Windsor-Walkerville L)
Nixon, R. F. (Brant-Oxford-Norfolk L)
Norton, K. (Kingston and the Islands PC)
O'Neil, H. (Quinte L)
Peterson, D. (London Centre L)
Philip, E. (Etobicoke NDP)
Reid, T. P. (Rainy River L)
Renwick, J. A. (Riverdale NDP)
Riddell, J. (Huron-Middlesex L)
Rowe, Hon. R. D.; Speaker (Northumberland PC)
Roy, A. J. (Ottawa East L)
Samis, G. (Cornwall NDP)
Shore, M. (London North PC)
Smith, R. S. (Nipissing L)
Smith, S. (Hamilton West L)
Stephenson, Hon. B.; Minister of Labour (York Mills PC)
Stokes, J. E.; Deputy Speaker (Lake Nipigon NDP)
Sweeney, J. (Kitchener-Wilmot L)
Timbrell, Hon. D. R.; Minister of Energy (Don Mills PC)
Warner, D. (Scarborough-Ellesmere NDP)
Welch, Hon. R.; Minister of Culture and Recreation (Brock PC)
Wildman, B. (Algoma NDP)
Yakabuski, P. J. (Renfrew South PC)
Ziemba, E. (High Park-Swansea NDP)

Workmen's Compensation Board officials taking part:

Harding, K. B., Secretary of the Board
Kerr, W. R., Executive Director, Claims
MacDonald, A. G., Vice-Chairman, Administration
McCracken, Dr. W. J., Executive Director, Rehabilitation Services
Reed, G. W., Vice-Chairman, Appeals
Starr, M., Chairman



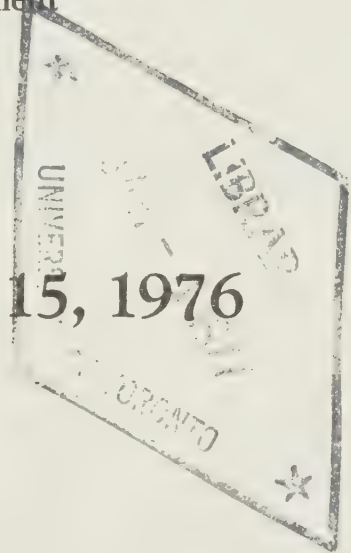
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OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament

Wednesday, December 15, 1976



Speaker: Honourable Russell Daniel Rowe
Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

WEDNESDAY, DECEMBER 15, 1976

The House met at 2 p.m.

Prayers.

Mr. Speaker: Statements by the ministry.

TATOA REPORT

Hon. Mr. Snow: This afternoon at the appropriate time, I would like to table the Toronto Area Transit Operating Authority's annual report for the year ending March 31, 1976. It would be well, I believe, to draw the House's attention to the accounting method used in this report.

The financial statements are prepared in accordance with the generally accepted commercial accounting principles as recommended by the Committee on Government Productivity. It records revenues and related expenditures including an appropriate share of capital costs—accountants term it depreciation—in the accounting period when the services were actually delivered. These methods are explained in the words of the experts in the notes to the financial statement.

It is my understanding that these accounting principles best reflect the true cost of providing the transit service, and provide an appropriate basis to measure the management activities and stewardship of the authority. It can, however, lead to some confusion in relating authority statements to public accounts which are on a cash basis, where revenue is recognized when it is received and an expenditure when a payment is made. Such confusion can stem from the fact that the authority and public accounts may report the same transaction in different fiscal years.

Having said that, I would like to comment briefly on some of the GO Transit services provided by the authority. It is interesting to note that GO Transit passenger ridership continues a very strong upward trend in 1976. Rail ridership on GO during the first 10 months of calendar year 1976 is running 14.3 per cent ahead of the previous year. GO bus patronage is up 21.9 per cent, partly due to the inauguration of some new services. Public acceptance of transit access to the Canadian National Exhibition also

showed an encouraging growth. GO passenger carriage in 1976 was up 22 per cent over 1975. That represents almost nine per cent of the total CNE attendance.

On November 28, 1976, GO Transit assumed operation on the North Yonge bus service between the TTC Finch subway station and Richmond Hill. This new GO bus service is expected to carry at least 1.5 million passengers during its first year in operation. I have just approved a recommendation from the authority for a one-year experimental GO bus service between the Streetsville/Milton area via Highway 401 to the York Mills subway station. This decision was based on a survey showing that a significant number of GO Transit patrons using existing GO services into downtown Toronto would find the route to York Mills more convenient. Studies also show a growing number of suburban residents work in the northwest and north-central areas of Toronto. Thus the authority considers there is a significant market existing in these areas for GO service.

In tabling this annual report, I would like to commend the Toronto Area Transit Operating Authority for its ability not only to meet, but keep pace with the increasing demand for transit services in those areas served by GO Transit.

ONTARIO REGIONAL PRIORITY BUDGET

Hon. Mr. McKeough: Today I would like to table the government's preliminary plan for the Ontario regional priority budget in 1977-78. As the hon. members are aware, this budget is an essential instrument of our provincial economic development policy. The appendix to this statement includes details of our proposal. I would like to take a few minutes to outline the nature of this budget and to outline the priorities which we have identified for the next fiscal year.

One of the major objectives of this government is to ensure that all regions of Ontario fully participate in our economic development and share in the benefits of our economic well-being. To forward this objective, the government over the past several

years has initiated and expanded a regional priority budget. These expenditures are over and above the government's normal programme outlays and are designed to ensure that capital investments which will significantly contribute to a region's economic potential are quickly brought to the fore. To date, some 77 per cent of the budget has been allocated to the provision of community, regional and industrial hard services.

While this budget is included in the estimates of my ministry, almost all of it is administered through local governments or operating ministries. The ministries most involved are Transportation and Communications, Environment and Natural Resources. Members are also aware that a number of projects are cost-shared by the province and federal government on a 50-50 basis.

I would like to report to the members that recently the Provincial Secretary for Resources Development (Mr. Irvine) and I met with the Minister for Regional Economic Expansion, Hon. Marcel Lessard. At that meeting we outlined Ontario's proposed plan for next year. The information I am tabling today includes projects where we are requesting DREE funding as well as those to be financed exclusively by the province.

We are proposing a total budget in 1977-78 of \$58 million, some of which will be new co-operative efforts with the federal government. I estimate new initiatives will involve expenditures of about \$14 million in 1977-78. The balance of next year's budget will be allocated to projects which are now underway. In total, it is estimated that the new initiatives will cost in the range of \$50 million over a period of three years. The budget I am proposing represents an increase of \$20 million over the amount allocated for the current fiscal year.

This enrichment supports our objective of actively initiating an economic development policy designed to increase jobs and incomes throughout the province. A central part of this approach is providing a dynamic environment for private sector expansion. Because we have successfully implemented a hard-nosed programme of fiscal restraint, we substantially augmented our capacity to finance these investments in the economic future of Ontario.

Turning to the highlights of our 1977-78 proposals, we are proposing to initiate some 17 new projects. These projects will reflect a number of economic priority initiatives. In this regard, I might note that up to and including the current fiscal year, we have in-

vested some \$70 million in the northwest, or 75 per cent of total spending under the regional priority budget to date. A major thrust of this investment was directed to improve substantially the capacity of the city of Thunder Bay to accommodate expansion in keeping with our commitment to ensure its role as the regional centre for northwestern Ontario. In addition, a number of expenditures have been undertaken to improve community and resource development in various other centres in northwestern Ontario. A significant part of the budget in 1977-78 will continue to be devoted to projects now under way in the northwest, including provision of community infrastructure necessary to support the over 500 new woodlands jobs resulting from the expansion of the pulp mill at Terrace Bay.

In the next fiscal year a major initiative will be to increase our regional priority investments in northeastern Ontario. Nine of the proposed new initiatives will improve community services in the northeast. I estimate this will involve a total investment of \$30 million, of which \$6.8 million will be spent next year. This region will also receive additional benefits from other projects on the new initiatives list. An important component of this government's economic development policy is to encourage an eastern thrust in the growth of jobs and incomes. This will help to more fully achieve the economic potential of the area and reduce growth pressures in and around the Metro Toronto area. Accordingly, the focus of five of the new programme initiatives will be for community and industrial development assistance to meet these objectives.

Earlier, I indicated some of the new initiatives we are proposing will be co-operative efforts with the federal government. I am confident that, as in the past, both levels of government will work quickly towards positive agreements so we can continue to invest in the future of all areas of our province.

CITIZEN COMPLAINTS AGAINST POLICE

Hon. Mr. MacBeth: On October 26, I made a statement to this House regarding my ministry's plan for a new system dealing with citizen complaints against police. I indicated at that time that we were commencing the second phase of consultation and that I intended to complete this consultation and introduce legislation before the end of this session.

As we proceeded with our discussions, it has become increasingly clear that the questions of citizens' complaints and police discipline are inextricably intertwined. This has meant it was necessary not only to develop somewhat more involved procedures, but at the same time to engage in wider consultation with those affected. We have, therefore, over the past week had numerous meetings with interest groups. These discussions have confirmed that police discipline involves various complex and sensitive issues and they have also shown that viewpoints are often at variance.

All of this has led me to the conclusion that it would be prudent to continue to attempt to obtain a better consensus before proceeding with the required legislation. Our proposed legislation will have significant impact upon both the police and the public for a long time to come, and I think it important that we take the time now to achieve a proper balance. This delay will, I trust, have the further benefit of allowing the proposed legislation to receive full and careful consideration by the administration of justice committee when it is introduced in the spring. The members will appreciate that this committee has been fully occupied this fall session.

Again I do regret the delay but I feel strongly that we are well advised to resolve as many problems as possible before introducing legislation. At the same time, I want to emphasize that our commitment to establishing a new system dealing with citizens' complaints against police is as strong as ever. We are confident that the new system will benefit greatly from the consultations now being undertaken.

[2:15]

PICKERING NUCLEAR GENERATING STATION

Hon. Mr. Timbrell: Mr. Speaker, I would like to reply to a question put to me by the member for Hamilton West on December 6. I have checked with the staff of my ministry and of Ontario Hydro and have satisfied myself that the contents of the *Globe and Mail* article entitled, "Candu, the Arithmetic of Risk" which appeared on December 6 are misleading.

There is a document known as the Pickering safety report. The document was prepared at the request of the federal Atomic Energy Control Board as a necessary step in obtaining licences to build and to operate the plant.

The Pickering safety report contains information on the design of the Pickering generating station. This information is the property of Atomic Energy of Canada Limited and Ontario Hydro and is of considerable commercial value.

On this basis alone, neither Atomic Energy of Canada Limited nor Ontario Hydro would wish this report to be given unrestricted distribution. Ontario Hydro also informs me that, in its present form, the Pickering safety report contains information on station layout, et cetera, that could be useful to anyone wishing to cause malicious damage to the station.

Furthermore, the report as written is highly technical. It is assumed that the recipient, in this case the staff of the Atomic Energy Control Board, is familiar with the technical aspects of the design of a nuclear station. The average person reading the report would find it difficult, if not impossible, to understand.

For these three reasons then—the proprietary nature of the information, station security and the technical nature of the contents—safety reports are not generally available to members of the public.

However, as I mentioned in my reply to the hon. member for Hamilton West on December 9 and yesterday to the member for Scarborough West, a copy of the Pickering safety report was presented to the royal commission on electric power planning for use by the commissioners and their staff. If the hon. member for Hamilton West or any member of the Legislature should wish to review the report with Hydro staff, I will be most pleased to make the necessary arrangements with Ontario Hydro.

If I understand the intent of the hon. member's question, I believe he was raising a concern about the safety of the public and the employees at Pickering, a concern we all share. When one considers that in the 30 years of nuclear development in Canada not one member of the public has been harmed by radiation from nuclear reactors and weighs this against the benefit gained then the newspaper article to which the member was referring does seem to be a distortion of the facts.

The member for Hamilton West quoted from the article which stated that during periodic clean-up of the Pickering boiler room concentrations of radioactivity as high as 200 times the maximum permissible level were detected. The term "maximum permissible concentration" is a technical term that refers to the concentration of radio-

activity to which an unprotected—and I underline that word—unprotected workman may be exposed during his entire time on the job without receiving a radiation dose greater than the Canadian statutory limit.

It is true that periodically, in restricted locations and under controlled conditions, work must be done in concentrations of 200 times the maximum permissible concentration, or more. However, this can be done quite simply and safely by wearing suitable protective clothing or limiting the exposure time or both without exceeding the statutory exposure limit.

I also looked into the allegation that concentrations of radiation higher than the maximum permissible were traced up to two miles away from the reactor and found that this is false. I am advised by Hydro, "On no occasion during the operation of Pickering has a member of the public received a radiation dose due to the release of radioactive material to the environment in excess of the dose limits recommended by the international commission on radiological protection and adopted by the federal government as Canadian statutory limits."

Indeed, I am told that average annual exposures are a very small fraction of these statutory limits and that these statements are made on the basis of actual measurements in the environment by Ontario Hydro and independently by provincial and federal health ministries.

HIGHWAY TRANSPORTATION OF GOODS

Hon. Mr. Snow: I have now had an opportunity to review the interim report of the select committee on highway transportation of goods and I must say I was very impressed by the concerns raised by the House members during debate on that report.

To begin with, it was of great interest to me personally when the committee confirmed the need for the regulating process in the trucking industry.

While it is to be realized that the committee's final report is not due until February 28 of next year, my ministry will begin to act on the interim recommendations now.

Therefore, in the light of the committee's interim recommendations, and at the same time keeping in mind the committee's final report, which will be tabled in late February, it is clear to me that there is a real need for my ministry to re-examine its policies and role in highway transportation regulation and its

relationship with the Ontario Highway Transport Board.

Traditionally, the government's legislation and planning in this area have been based on necessity and needs, and it is interesting to note that the members of the all-party committee spelled this formula out in part five under the heading of "reciprocity" in their summary of recommendations. Part five states:

"The ultimate aim of the government of Ontario shall be the free flow of goods in private as well as for-hire vehicles to and from points outside of Ontario with a minimum of interference by ways of fees, charges, taxes, reports, records and documentation."

I heartily agree, and this admirable goal has been our aim with respect to intraprovincial trucking. But, as admirable as it appears, there has been a proliferation of trucks and truckers, responding to demands for such services, to the point where I believe the time has come to re-examine our position, keeping in mind the select committee's recommendations.

To this end, I have directed Mr. R. H. Humphries, assistant deputy minister of our drivers and vehicles branch, to assume the overall responsibility for this re-examination. Mr. Humphries' new duties will also include my ministry's consideration of the select committee on highway safety's recommendations. Therefore, his current duties as assistant deputy minister of the drivers and vehicles branch will be reassigned.

Mr. Humphries brings a wealth of experience and expertise to his new assignment. A graduate lawyer, he was formerly the solicitor for the former Department of Transport; he served as vice-chairman of the OHTB from 1963 to 1965, and he is personally familiar with The Public Commercial Vehicles Act, The Highway Traffic Act and The Motor Vehicle Transport Act (Canada). I would like to add that he has been very actively involved in the many statutory and regulatory changes which have been brought forward over the years.

POINT OF PRIVILEGE

Mr. Reed: On a point of privilege: Yesterday, Mr. Speaker, in response to a question by my leader, the Minister of Energy read a letter he had sent to me. However, in reading Hansard, I find there are two paragraphs attributed to that letter which do not exist in the letter he sent. I wonder, with the permission of the Speaker, if I could finish the letter in its entirety as I suppose the minister intended it originally?

Hon. Mr. Timbrell: Mr. Speaker, if I may assist the member on the point of order, my response was not entirely composed of portions of his letter; there were other things I added which could very well not be in the letter.

Mr. Speaker: I think the matter perhaps could be clarified by a judicious question during question period.

Mr. Reed: The indication in Hansard as it is printed is that these two paragraphs are included in the letter, and I wanted to make it quite clear that they are not included in the letter to me.

Mr. Speaker: I have heard the member.

Mr. Lewis: Hansard just failed to differentiate. Is it possible to correct that?

Mr. Speaker: I think the hon. member has made his point clear. Is there an explanation we should have?

Hon. Mr. Timbrell: Perhaps, Mr. Speaker, if the member and I can get together, we can co-ordinate what Hansard should print because as I say, I did add other comments which certainly were not in the letter.

Hon. Mr. Davis: You can get together and put it into one paragraph.

Mr. Reed: Why won't you let me make the correction in the House?

Mr. Speaker: Hansard should be printing what is said in the House anyway.

Oral questions.

MINISTRY OF HEALTH FINANCIAL PROCEDURES

Mr. Lewis: A question, if I may, to the Minister of Health: In view of the many and varied and serious criticisms which the report of the Provincial Auditor directs at various branches and components of the Ministry of Health, is there any intention on the minister's part to undertake some overall review of the financial procedures in his ministry, or can he indicate to us specific places where he intends to take action?

Hon. F. S. Miller: There were quite a few references to my ministry in the Provincial Auditor's report. In some cases he said he hadn't received information back from our ministry in time to incorporate it in his response. I checked up on those and, almost without exception, responses had flowed to the Provincial Auditor within days of the

closing or the deadline for printing. I would say almost all of them do not deal with moneys wasted but rather with systems that, in his opinion, could be tightened up. For example, in the case of the reference that we paid some accounts for drug benefits twice, I don't know whether it was clarified that that money was recovered and that we have a normal system for a partial amount of funds to druggists each month with a reckoning, I think, once a year for their accounts. So there is very little chance for total overpayment.

The Provincial Auditor really was making comments upon irregularities and procedures which, in his opinion, didn't always indicate whether the money was properly spent. I feel, however, that they do not indicate any great waste of money and that my staff in most cases have now adequately answered his criticisms for his current report.

Mr. Lewis: By way of supplementary, in view of the very specific criticism levelled at the Medical Review Committee, which indicates that in the 15 months ending June 30, 1976, only 28 of 165 cases had been acted upon, and we're paying these people, I believe, \$175 a day by statute—they're all pending or deferred and nothing is out of those—in view of his criticisms of the Medical Review Committee, their procedures, their delays and their inappropriate handling of the review, is the minister prepared to do something about that committee, reconstitute it, change it and so on?

Hon. F. S. Miller: First, I don't know where the member got his figures. The ones I have say they had 175 outstanding recommendations or cases out of 544, and that in their first year of operation they replied to 100 per cent of those given to them. In the second year they replied to 100 per cent of those given to them. It was only in the third year that the backlog of cases started to gain upon them.

Mr. Lewis: I said 15 months.

Hon. F. S. Miller: I'm interested in that too because I see MRC reports coming across my desk; every one of them comes back to me. I have seen at least 35 or 40 of them in the last three months, I would say. This is why I'm rather surprised at this figure of one. I can't dispute it. That's for the period of three months, April, May and June, of this current year.

In my opinion, the MRC deserves a great deal of respect from this House. It's made up of inspectors who are physicians working under the authority of the College of Physi-

cians and Surgeons, investigating every referral given to them by the general manager of OHIP. I believe their greatest use has been the deterrent affect they have had upon improper practices of billing. The medical profession in this province is keenly aware of the authority, the powers and the ability of this committee to look into its cases. I think they're highly respected.

They do find at times that the cases are long and involved and that, as the staff in my ministry have pointed out, doctors are often using legal assistance to counter the effects of the MRC. But, in my opinion, they perform a noble job for the people of the province and have cut down, I think, improper billings to a bare minimum.

[2:30]

Mr. Roy: May I ask a question pertaining to the first question asked by the Leader of the Opposition on the comments of the Provincial Auditor? Could the minister explain why, back, I think in 1975, his ministry was advised that there was some difficulty in the prosecution because the wording of the Act and of the regulations apparently was not precise enough and it was suggested by his legal people that there be a change in the Act and the regulations? Could he explain why we have not seen any legislation or any comments from the ministry about any legislation coming before this House to tighten up the Act and avoid any circumventing of the provisions of the OHIP regulations?

Hon. F. S. Miller: Mr. Speaker, whenever we find a need to tighten up the regulations we prepare legislation; my staff have been busy preparing it. It happened, though, that it wasn't in a final form for this particular sitting. At one time this fall I really expected to have an amendment to The Health Insurance Act before the House covering a number of the issues raised by the auditor and a number raised by us in our own investigations of billing practices. It just happens we were not able to have the amendments ready for this particular sitting. I would expect the next time we meet we will have amendments.

Mr. Roy: One quick supplementary on that: What was the difficulty in bringing forward the legislation when, according to the Provincial Auditor, all the minister had to change was a couple of words, something to do with insured services? What was the difficulty in changing that legislation?

Hon. F. S. Miller: The member is a lawyer and I'm not. I can only tell him that when one gets into changes—

Mr. Roy: I would have helped you.

Hon. F. S. Miller: I'm sure you could have. Perhaps I will come to that although—

Interjections.

Hon. F. S. Miller: I rely on the Attorney General's office right now for that assistance.

Mr. Reid: That explains it.

Mr. Roy: That is where the minister is making his mistake.

Hon. Mr. Davis: Are you returning to private practice?

Hon. F. S. Miller: In any event, I have found it isn't quite as simple to make some of the changes which may appear simple to auditors but appear complex to lawyers.

OWNERSHIP OF LABORATORIES

Mr. Lewis: A question in the same field but on a separate matter. What plans has the minister for specific legislation governing the possibility of conflict of interest in the ownership of medical laboratories, which again the auditor points out?

Hon. F. S. Miller: I don't need to have legislation for that. It's already covered in The Public Health Act. It requires only a regulation. That regulation is complete as far as my ministry is concerned right now and is ready to go through the normal regulatory process.

SEVERANCE PAY OF PUBLIC SERVANT

Mr. Lewis: May I ask the Chairman of Management Board, and I do it with great caution, hoping I can elicit from him a brief explanatory response—

Mr. Reid: No such thing.

Mr. Lewis: You're right. I know I shouldn't do it but I'll do it anyway; it's nearly the end of the session.

Can he explain how he computed \$23,375 as the severance pay for Don Collins? I ask no more than that.

Hon. Mr. Auld: Hold your breath. Mr. Collins was employed by the Treasurer and he will answer that question.

Mr. Speaker: The question has been referred, I believe.

Mr. Lewis: If you'd take that blue tint off your face for a moment and answer me, I'd appreciate it.

Hon. Mr. McKeough: The auditor sets out the reason. The amount was the equivalent of six months' salary and the benefits which were applicable to that. What I think we should appreciate in this instance is that Mr. Collins was a distinguished public servant who joined, I think, in 1949 and served the province well as a deputy minister of several departments of government.

Mr. Roy: That's why they sent him to Sudbury.

Hon. Mr. McKeough: He went to Sudbury at the Premier's request to be the regional chairman. He resigned from that position and came back here but there was not a comparable position open in the public service so he chose to leave the public service.

Mr. Peterson: Comparable to what?

Hon. Mr. McKeough: I think it is reasonable to expect, as in the private sector, that when a senior public servant leaves after nearly 25 years of service, I guess six months' severance is not an unreasonable amount. I think what the auditor is suggesting is that from his viewpoint there may not be proper legislative authority to have done so. We happen to disagree and I believe the legal advice happens to disagree. Nevertheless, if the auditor is concerned that the proper legislative authority is not there to make these kinds of severance arrangements, we will and, in fact, are taking a look at the legislative authority.

Mr. Laughren: Could the Treasurer explain to us why Mr. Collins was asked to move back to Toronto when there was no job for him in the civil service by the Treasurer's own admission?

Secondly, is he aware that Mr. Collins received termination or severance pay when he left the Civil Service Commission to join the OWRC of some \$10,000 which, in all, means that Mr. Collins has received almost \$100,000 in severance pay from this government?

Finally, could the Treasurer tell us why he or his government has not acted on the recommendations of the public accounts committee of last February that guidelines be laid down in regard to termination of em-

ployment contracts so this kind of situation doesn't continue to happen?

Hon. Mr. McKeough: If I can remember those three questions—he was not asked to move back to Toronto but it was reasonable that he would. He resigned from his position in Sudbury and presumably, I suppose we could put it this way, was reporting back to work here which is where he started. I don't think it was unreasonable that he would come back and leave the civil service from here. His leaving Sudbury was of his own volition.

I'm not aware specifically of the arrangements when he left the Civil Service Commission to go to the Water Resources Commission or the other way around. I'm not aware of that. I suspect it may well have had something to do with pension arrangements because there was at that point, I think, a difference between the status of the chairman of a commission and that of a deputy minister.

In so far as the third item is concerned we have not felt that that was necessary. This doesn't happen that often and has been dealt with on a—

Mr. Reid: Pretty lucrative for them when it does.

Mr. Speaker: Order.

Hon. Mr. McKeough: I see articles about people thinking some people in this House should have more money. We're going to go on paying our civil servants well. We don't apologize for that.

Mr. Reid: How about starting to pay us well?

Mr. Nixon: It was \$60,000 to Don Collins.

Mr. Reid: How come in six months he gets more than we do in severance pay?

Mr. Speaker: Order, please.

Hon. Mr. Davis: He's been here longer than you.

Mr. Reid: It doesn't seem long.

Hon. Mr. Davis: And I will tell you, you won't be here as long as he has been.

Mr. Reid: I can guarantee you I won't be here that long.

Mr. Speaker: Order, please. Will the hon. Treasurer ignore the interjections and answer the third question?

Hon. Mr. McKeough: With respect to the third question, the auditor now having raised it, perhaps a policy does need to be developed and put into regulation. As I've already said, if the legislative authority is not proper then we'll have to do something about that as well.

Mr. Nixon: It is a great defence. You should be proud of yourself.

Hon. Mr. McKeough: You couldn't run anything more than a peanut stand. You couldn't run a peanut stand.

Mr. Nixon: You make a payment of \$60,000 and defend it. You should be ashamed of yourself. You couldn't run a candy store.

Mr. Speaker: Order, please. I'm sure that's a great display for our visitors in the gallery as well as just being a poor exhibition right here in the House.

Mr. Lewis: Mr. Speaker, I would simply like a peanut stand to run.

Interjections.

Mr. Speaker: Would the hon. leader proceed with his question?

Mr. S. Smith: You would socialize it. You would nationalize it.

Mr. Lewis: Maybe Don Collins couldn't handle it either. That's why he moved.

FIRST MINISTERS' CONFERENCE

Mr. Lewis: May I ask the Premier if he is interested in offering to the Legislature—perhaps he intends to do it tomorrow—comments not so much on the conference about which we read but on that part of the conference which applies to Quebec's performance, Quebec's role, what the Premier of that province put and how the Premier of Ontario felt in terms of Quebec's participation when he left the dominion-provincial conference.

Hon. Mr. Davis: Mr. Speaker, I do have three documents to table. I really didn't plan a statement today. It is my intention, physical abilities allowing, to participate in a very non-provocative way in the budget windup tomorrow. As part of that very historic address in which I hope to prevail upon the Leader of the Opposition to—

Interjection.

Hon. Mr. Davis: —I'll give him a little advance notice now that I'm hopeful that when I have finished he will see his way

clear to recognize the virtues of this government and just how well it is going and to alter his position. As part of my suggestions to him I will make some references to the discussions in Ottawa in the past two days.

There are just three documents to table—the very brief statement I made at the conclusion of the conference; the statement tabled with the conference related to certain economic considerations, and a further statement developed by the Treasurer, outlining in greater detail the financial implications of the decisions that were reached yesterday.

Mr. S. Smith: A supplementary on this question, if I may.

Mr. Speaker: No. It's the hon. member's turn. He can call it whichever he wishes.

Mr. S. Smith: I'll ask the Premier as a new question, if you like, Mr. Speaker, whether he would be willing to share with this House any basic conversations which may have gone on, either at the conference or in the corridors, with the Premier of Quebec regarding particularly the subject of Ontario's linguistic policy and this province's treatment of the Franco-Ontarian minority? Did that come up at all and could he apprise us of that?

Hon. Mr. Davis: No, I don't really think the Premier of Quebec and I had any conversations in any corridors. I'm trying to remember exactly where, geographically, we were. I don't think we did.

Mr. Roy: Were you that confused?

Hon. Mr. Davis: We did chat informally in the presence of several others at the home of the first minister of this country. The Premier of Quebec did not raise with me the policies of the government of this province. I think the leader of the Liberal Party might be interested in reading the Premier of Quebec's observation on bilingualism as they relate to the policies of the government of Canada. He might take a look at that; I would be prepared to answer any supplementary questions, but we did not discuss policies within the province of Ontario.

Mr. Peterson: Supplementary: As a result of the conference and, of course, other events that have transpired in the recent past, does the Premier and his government have any plans for changes in policy towards the minority groups, and particularly the franco-phone groups, in this province?

Hon. Mr. Davis: I guess I could outline for the member for London Centre the traditional policy of this government, the progress—gradual in the minds of some, not so gradual in the minds of others—as it relates to the Franco-Ontarians of this province.

Mr. Samis: You're moving at a snail's pace.

Hon. Mr. Davis: I would say, with respect, that the policy here has developed in a way that has caused very little controversy—

Mr. Roy: That's right, because you haven't done anything.

Mr. Speaker: Order, please.

Hon. Mr. Davis: I would say, with great respect to the member for Ottawa East, that in terms of our policy for the Franco-Ontarians, it is a progressive policy—

Mr. Roy: Oh, don't come bragging to me about that.

Hon. Mr. Davis: —it is a good policy—

Mr. Samis: It is not enough.

Hon. Mr. Davis: —it is working, and it is not causing controversy.

Mr. Conway: Some of your back-benchers don't agree with you.

Mr. Speaker: Order.

Hon. Mr. Davis: —and, with great respect, if the people the hon. member has so actively supported in the nation's capital had taken a somewhat different approach to bilingualism, there would be fewer issues existing in this country today.

Interjections.

Mr. Yakabuski: You walked right into that one.

Mr. S. Smith: That does not help.

Mr. Speaker: This will be a final supplementary.

Interjections.

Mr. Speaker: Order, please.

Mr. Samis: Can the Premier assure the Franco-Ontarian minority in this province that he will take definitive action to implement true bilingualism in the field of health services and government services?

Mr. Speaker: Order, please. We are dealing with the matter of bilingualism at the

conference, and this is not supplementary to that question.

Mr. Conway: Paul, are you going to tell us about bilingualism?

Mr. S. Smith: That remark was a poor remark.

Hon. Mr. Davis: Ask Keith Spicer.

LIMITATIONS LEGISLATION

Mr. S. Smith: A question, if I might, for the Attorney General: I would like to ask the Attorney General about the very tragic incident, reported in the Sun today, of a 58-year-old widow whose right leg was amputated as a result of a power line accident and who lost a \$200,000 suit against Hydro because her lawyer did not act within the six-month limitation period established in the Act. Is the Attorney General finally going to act on the reports of the Ontario Law Reform Commission of 1969, in which it was clearly recommended that there be a general revision of The Limitations Act, by which this extremely unfortunate type of situation could have been avoided had we already acted on this? Does he have some intention of acting to avoid this?

Hon. Mr. McMurtry: Yes, I agree with the recommendation of the Ontario Law Reform Commission and we expect to have legislation to introduce in the spring with respect to providing for uniform limitation periods. It's a very complex subject. It involves a large number of statutes and a number of people have been working on this for some months. We should have legislation for the next session.

[2:45]

Mr. S. Smith: A brief supplementary, if I might: I appreciate the promise the Attorney General is making but I wonder if he could explain why the government has not acted since 1969 on what was clearly an important need?

Hon. Mr. McMurtry: My ministry has been working hard on this subject since October 7, 1975.

Mr. Good: You never worked hard.

Mr. Yakabuski: Supplementary: I'm wondering if the lady in question could not take legal action against the legal person who represented her?

Mr. S. Smith: Of course she can.

Mr. Singer: That is not really a supplementary.

Hon. Mr. McMurtry: Yes, that course of action would be open to this individual.

Mr. Singer: Supplementary: I wonder if the Attorney General could explain the lack of action by his department over all these years and by his predecessors, even though this matter has been debated in this House at least eight times already?

Mr. Speaker: I think the hon. minister did answer that.

BRUCE SAFETY REPORT

Mr. S. Smith: A brief question to the Minister of Energy: Appreciating the minister's answer earlier today to a question I had asked previously and having already been offered the chance to look at the Bruce reactor safety report and the Pickering report, could the minister tell me whether I will be given the chance to look, not at the reports themselves, but at the background notes and papers exchanged between AECB and Ontario Hydro? Has the minister himself had the opportunity or will he get the opportunity to look at those particular notes and papers?

Hon. Mr. Timbrell: As I indicated yesterday, the safety reports are the culmination of exchanges of correspondence between AECB and Ontario Hydro and those are what are referred to as the notes. It's actually correspondence between the two. When an item is concluded it is then registered in the report.

Mr. S. Smith: By way of supplementary, is the minister not aware that the reports are very highly technical and that it's the background correspondence regarding the report that I asked for now two and three times? Why can we not look at that, and has the minister himself looked at that?

Hon. Mr. Timbrell: The correspondence and the notes, if the member wants to call them that, are just as technical, just as proprietary, just as much of a concern in terms of—

Mr. S. Smith: Has the minister looked at them?

Hon. Mr. Timbrell: I have seen some over the years, yes. I think his concern should be with the report, which is the culmination of the process.

Mr. Moffatt: Supplementary: I wonder if the minister would tell this House if any of

the information related to the answer that he just gave is classified by the Atomic Energy Control Board and is any of it unavailable to members of this House?

Hon. Mr. Timbrell: I have indicated the reports are certainly available for the members. Is that the import of the question or is it the correspondence?

Mr. Moffatt: The background information.

Hon. Mr. Timbrell: I don't know that.

PROMOTIONAL MATERIAL

Mr. S. Smith: I have one final question for the Minister of Industry and Tourism. Could he explain the policy of his ministry with regard to distribution of promotional material inasmuch as the chamber of commerce of Stoney Creek, which has international events, was refused that promotional material, and yet the Miss Nude World pageant received 9,000 brochures, 600 road maps and 300 trillium pins, and one wonders where they were going to pin them?

Mr. Roy: Hey!

Hon. Mr. Rhodes: The member for Ottawa East requested those."

Mr. Kerrio: Just give us the bare facts.

Mr. S. Smith: Could the minister explain that particular policy of the ministry?

Mr. Lewis: Only you could answer it straight.

Hon. Mr. Bennett: As far as the refusal of literature to the chamber of commerce at Stoney Creek is concerned, I would have to look into it. My understanding is that chambers of commerce have been given, through their travel associations in their various regions of the province, the amount of literature they require for promoting their activities. As for the second portion of the question, I shall take it under advisement.

Mr. Reid: We just want the bare facts, that's all.

Mr. S. Smith: By way of supplementary, while he is doing his undercover operation to find out the answers to this—

Hon. B. Stephenson: It would only be undercover for the Leader of the Opposition.

Mr. S. Smith: —could the minister also consult with his own executive director of tourism who suggests that basically his minis-

try was duped by the pageant into believing it was an international event, when in fact it consisted entirely of Canadians, with the exception of one girl who was Mexican but living in Canada anyway?

Mr. Foulds: What is wrong with that?

Hon. Mr. Bennett: I suppose the only defence for that is that all the girls coming in would be considered tourists in Ontario and help offset the balance of payments we have, but I shall look into that portion as well.

POINT OF ORDER

Mr. Grossman: On a point of order, Mr. Speaker, this afternoon at the public accounts committee certain documents were released to the members of the public accounts committee and I thought, pursuant to a motion of the committee moved by the member for Port Arthur, that the documents, by agreement of the committee members, were to be kept confidential to the committee members. I see some of my colleague on the Liberal benches, many of them, looking over the report at the present time.

Mr. Yakabuski: Oh, no! Oh, for shame.

Mr. Grossman: I wanted to draw that to the attention of the House. I understood that each member who received it was to keep it confidential to himself and not all of his colleagues, which I see is happening here this afternoon.

Mr. Speaker: I am certainly not aware of what the member is discussing.

Interjections.

Mr. Bullbrook: Right, makes great reading too.

Mr. Foulds: Mr. Speaker, the motion did not read "confidential to committee members." The motion read "confidential." I assumed it was open to members of the House but not to become public knowledge.

Mr. Speaker: There is nothing I can do about it at the present time anyway.

An hon. member: Do you have binoculars there?

FIRST MINISTERS' CONFERENCE

Mr. Yakabuski: Mr. Speaker, I have a question of the provincial Treasurer, which I am sure has great importance to this House,

and is certainly of national importance. In view of the fact that he was one of the delegation attending the first ministers' conference in Ottawa, is it true that the socialist Premier of Manitoba, who previously fought wage and price controls, has now agreed to go along with an extension of Trudeau's wage and price policy?

Interjections.

Hon. Mr. McKeough: Mr. Speaker, I think it is fair to say that that is not only true of the Premier of the socialist government of Manitoba, it is also true of the Premier of the socialist government of Saskatchewan. One could only deduce from this that given time, given a little help, given a little encouragement, even socialists can see the light.

An hon. member: Even Liberals.

Mr. Lewis: How much time do you think I need?

Hon. Mr. McKeough: While you're over there you'll have all the time you want.

Interjections.

Mr. Speaker: Order, please.

Mr. Lewis: I don't want an answer; it was a rhetorical question.

ITALIAN COURSES IN SCHOOL

Mr. Grande: Mr. Speaker, my question is to the Minister of Education: Can the minister either confirm or deny two rumours regarding the multicultural policy statement which he promised on November 4 in this House that he would make in two or three weeks' time, those rumours being—and by the way the rumours come from members of his own ministry—that there will be no statement before the House rises for the holiday season, and secondly, that the statement will be made prior to or during the next provincial election campaign?

Hon. Mr. Wells: Mr. Speaker, I can confirm the first rumour that, unless my friend wishes to sit here for the next three or four weeks there will be no statement before this House rises, and that the statement will be made I am sure before the next election, unless my friend and other members decide to vote differently tomorrow evening.

Mr. Grande: Supplementary: In view of the minister's answer, will the minister and the staff in his own ministry make sure that the bilingual-bicultural programme of Orde

Street Public School will not be sacrificed due to his ministry's stalling on this?

Hon. Mr. Wells: I would be glad to talk to the Toronto board about the Orde Street programme, but I don't believe they have communicated personally with me about that programme or about the continuation of that programme. The Toronto board gets a lot of money and raises a lot of money and carries on a lot of good programmes and it does them well.

Mr. Foulds: Supplementary: Can the minister assure the House that if the announcement comes before the House resumes he will give the opposition critics advance notice of the statement, so that we can be available for comment at the time?

An hon. member: You've got to be kidding.

Hon. Mr. Wells: I'm always happy to accommodate my friends and we'll be glad to take that under advisement.

HAWK LAKE CULVERT COLLAPSE

Mr. Eakins: Mr. Speaker, to the Minister of Transportation and Communications: What action has the minister taken or what is his reaction to the recommendations of the jury established at the coroner's inquest into the Hawk Lake culvert collapse last spring in Haliburton county in which three people lost their lives?

Hon. Mr. Snow: It's some time since we received a copy of that jury report, but as I recall the details that particular project was certainly not a project carried on by my ministry or by a road authority. I would have no jurisdiction over it.

Mr. Eakins: Supplementary: My question was, what is the minister's reaction in regard to the recommendation? They know he has no jurisdiction, but their recommendation was that his ministry implement a code to regulate the building of any such structure not presently supervised by MTC or other regulatory body. What action has the minister taken or what does he plan to do?

Hon. Mr. Snow: I have not taken any specific action on that recommendation because I don't believe there is any way my ministry could create a code that would involve limitations to structures built outside our jurisdiction.

TIMMINS HIGHWAY ACCIDENT

Hon. Mr. Snow: Mr. Speaker, on December 3 the member for Cochrane South (Mr. Ferrier) directed a question to me through the Provincial Secretary for Resources Development regarding an unfortunate and tragic accident that occurred on Highway 101, near Timmins on November 28, 1976.

From the preliminary Ontario Provincial Police report it appears this accident occurred on a straight and level section of Highway 101. The action involved a collision between two automobiles, one northbound and one southbound. The road surface as described in the OPP report was bare and wet, with weather conditions clear and cold. From the absence of any witnesses to the accident we can only assume the two vehicles that were involved in the collision were alone on the road at the time of the accident.

I would suggest from the information we have at this time that neither the condition of the road surface nor the width of pavement was a contributing factor to the accident.

Mr. Laughren: Supplementary: Did the Provincial Secretary for Resources Development pass on to the minister our concern about winter maintenance on Highway 144 between Sudbury and Timmins and, as well, about the width of the road which may very well cause accidents in the future and, indeed, makes driving on the road very difficult and hazardous?

Hon. Mr. Snow: My colleague did pass on that supplementary as well and, of course, we've discussed this on previous occasions during the estimates of my ministry.

Highway 101 has, as I recall, a 20-foot width of pavement. Basically most of our paved highways are in one of three widths—20, 22 and 24 feet—depending upon the traffic volume of the particular road. There are many hundreds of miles and perhaps many thousands of miles of 20-foot highways in the province. This happens to be one of them.

We're continually monitoring and upgrading our standards, but because of constraints I'm afraid we do not have any immediate plans for the reconstruction of this particular highway—which as I understand it is what would be involved. To get additional width you would really have to reconstruct the highway.

[3:00]

Regarding the maintenance, I think we have the same level of maintenance, certainly to my knowledge, within all our patrols on all our particular highways. If the hon. member has some specific comment regarding maintenance on this highway or some specific information or complaint, if he would give it to me, I would be glad to look into it.

Mr. Speaker: The final supplementary

Mr. Wildman: Can the minister inform the House as to what information he has regarding the ploughing of that highway that weekend? There was a bad blizzard that weekend and my information is that it wasn't very well ploughed previous to the accident.

Hon. Mr. Snow: As I said in the earlier portion of my answer, the OPP report states the highway was bare and wet.

HEALTH AND SAFETY LEGISLATION

Mr. Bounsall: Mr. Speaker, I have a question for the Chairman of the Management Board of Cabinet: Will the minister assure this House that all the necessary funds will be granted for the coming year to enable the Ministry of Labour to hire sufficient safety inspectors to implement The Employees' Health and Safety Act which we passed this past Tuesday?

Hon. Mr. Auld: Not knowing exactly what the requirements are yet I can't give a definitive answer. I would say this whole programme is a priority of the government. It is being studied by consultants to see exactly what staff is required. I think the Minister of Labour has indicated it may be difficult, if not impossible, to obtain as rapidly as she might wish the kind of trained personnel she is going to require in the numbers she will require.

Mr. Laughren: Is the Chairman of Management Board telling us that the Ministry of Labour has not specified to him the kind of money and people it will require in the new authority?

Hon. Mr. Auld: I didn't say that.

ORGANIZED CRIME

Mr. Reid: Mr. Speaker, I have a question for the Solicitor General in regard to organized crime. Can the Solicitor General confirm or deny a news report on radio station CHUM last Friday, I believe, which stated that a

senior OPP officer had been in touch with his counterpart in Quebec to see if he could find out how to go about getting a public inquiry into organized crime in the province of Ontario?

Hon. Mr. MacBeth: I heard a replay of that interview and subsequently I was interviewed by someone from CHUM. I asked them to name the senior officers to whom they had been speaking. Of course, they would not or could not do it; I don't know whether it's a case of would not or could not but they hesitated and in fact did not name them.

I said I had spoken to senior officers who advised that such an investigation as they were suggesting would do more harm than good, and I did not hesitate to name the people to whom I had been talking. One, of course, was Chief Harold Adamson of the Metropolitan Toronto Police, and our own Harold Graham, commissioner of the OPP.

Mr. Reid: Since the minister keeps refusing to have a public inquiry, would he explain to the House the reasons he is given by the OPP for not having an inquiry? Why?

Hon. Mr. MacBeth: I would rather put it the other way around and ask my hon. friend one good reason for having an inquiry but I will try to give him some reasons that we shouldn't.

Mr. Philip: He is not here to answer questions. You are.

Hon. Mr. MacBeth: First of all, as I have said on many occasions, and I know my friend doesn't want to hear this information, the provincial police feel they know the names and the people they should be watching for in organized crime.

Mr. Philip: Just give us the information.

Hon. Mr. MacBeth: It is not a case of finding out who they are. It is a case of getting evidence to get convictions. They know this and if they had some investigation which might parade a lot of these people, it might destroy some of the investigation they already have and some of the evidence they have already acquired.

One very realistic point of view is that we are on a restricted budget at the present time. The police of this province, both at the municipal level and at the provincial level, would like more funds. Always the opposition thinks the answer to any problem at all is let's have an investigation; let's investigate just about everything and anything. But, my good friend, investigations cost money.

Mr. Reid: So does organized crime.

Hon. Mr. MacBeth: I would think an investigation of this nature might cost well over a million dollars.

Mr. S. Smith: And the home buyers grants.

Mr. Peterson: How much?

Hon. Mr. MacBeth: When I talk to the police their thought is, "If you have an extra million dollars for police, don't spend it on investigations which will do very little. Let us have more men and equipment."

Mr. Foulds: —the money or the Mafia.

Mr. Speaker: Order, please.

Mr. Reid: If the minister is telling us that they know who all these people are, what is the problem in getting convictions? Is it a problem with the Criminal Code?

Hon. Mr. Kerr: The federal government.

Hon. Mr. MacBeth: It is a matter of evidence.

Mr. Peterson: Did the minister read the report in the press last week that a prosecutor in Quebec said they have evidence there is more organized crime in Ontario than there is in Quebec? Did he read that and what is his reaction to that report?

Hon. Mr. McMurtry: That's nonsense. Absolute nonsense.

Hon. Mr. MacBeth: Mr. Speaker, I haven't been relying for my information on the prosecutors in Quebec.

Mr. Cunningham: Lots of good headlines in it. I don't know why you don't go ahead.

Hon. Mr. McMurtry: It is bloody nonsense.

SALE OF LAND IN HAMILTON

Hon. Mr. Rhodes: The hon. member for Hamilton West recently asked two questions of me. One was as to why the government does not release land on Hamilton Mountain for sale in large quantities all at once. The other was about "speculative profit" the government has realized from the sale of land so far on Hamilton Mountain.

As the hon. member is probably aware the lands in question are not owned solely by the province. They are owned by a federal-provincial partnership. In the early 1950s some 900 acres of raw land across the

mountain were acquired as a land bank to be developed as municipal services became available.

Central Mortgage and Housing Corporation, the federal agency, was the active partner during the first two phases of development, the first in 1957 and the second in 1967. It wasn't until after this that the province became the active partner.

The hon. member asked why the province did not sell the land in large quantities all at once. The land is not contained in one large parcel, as I am sure he is aware. The holdings are scattered across the mountain in many parcels north of Mohawk Road.

Because of the scattered nature of the lands and the lack of sewer and water mains, development could not take place as quickly as some would hope. Development has taken place since 1967 as quickly as planning was undertaken by the city, followed by the provision of main services. In fact, to help speed up the rate of development, OHC entered into an agreement with Hamilton in 1970 to finance the construction of the Red Hill Creek trunk sewer. Under this agreement, OHC and CMHC pre-financed a sewer construction programme designed to service about 3,000 acres at the east end of the mountain.

The programme was to cover about 600 acres of federal-provincial land and about 2,400 acres of privately-owned land. It is estimated the final cost of this programme will be in excess of \$10 million. Hamilton is repaying the bulk of the cost of the sewer programme over a 15-year period. Without the assistance the pace of development would have been even slower. As a matter of fact, only 157 acres of federal-provincial land have yet to be serviced.

With regard to the question from the hon. member concerning speculative profit to the government, I had some of that information prepared but I do not believe the information I had was adequate for what he was seeking. We are going to have to go through a number of records to get a specific dollar figure. The land was sold during various phases over a period of about nine years and we have to check as well with Central Mortgage and Housing Corporation which was involved with it.

I would like to advise the hon. member that I will have this material in its entirety and complete and I will file it with the clerk if the House is not sitting.

Mr. S. Smith: Supplementary, if I might. I appreciate the answer the minister has given. I wonder, though, whether he would agree

with me when he is seeking this information that, given the need for affordable housing, the province and the city could find some way to service the land more quickly and to sell at something a little under market value in order to get affordable houses on the market rather than holding out for the highest possible market price?

Hon. Mr. Rhodes: Certainly we are prepared to co-operate with the municipality in an effort to bring the land on stream for development as soon as possible. I can't comment as to what the total price has been. I don't disagree with the desire to have the cost lowered but I think once we see the figures we will have an idea of what sort of market we are talking about.

Mr. Deans: May I ask a supplementary?

Mr. Speaker: Order, please. We have about 30 seconds left—well all right; we will take it up with a supplementary then, since it evens it up.

Mr. Deans: Does the minister agree that the statement he has made with regard to his desire to see more affordable housing is in direct conflict with the statement made by one of his predecessors at the time he was requested to do exactly what the leader of the third party has asked for—to make that land more readily available and not to take into account the high prices charged by the private developers?

Hon. Mr. Rhodes: Mr. Speaker, I don't know with whom I'm supposed to be in conflict—

Mr. Deans: Stanley Randall.

Hon. Mr. Rhodes: I must apologize to the hon. member. He obviously is much older than I, certainly in terms of service in office, and I am not familiar with what Mr. Randall may have said.

Mr. Deans: You should read it then.

Hon. Mr. Rhodes: I'll be glad to read it.

Mr. Speaker: The oral question period has expired.

Petitions.

Presenting reports.

REPORT

Hon. Mr. Handleman presented the 29th annual report of the Liquor Licence Board of Ontario.

Mr. Speaker: Motions.

Introduction of bills.

TIMMINS HIGHWAY ACCIDENT

Hon. Mr. Snow: Mr. Speaker, if I may—I don't know if this is a point of order or a point of clarification, but I may have inadvertently misled the hon. member for Algoma a moment ago when I stated that the road in question in the OPP report was "bare and wet." In double-checking the OPP report, it is "centre bare and wet." I do have photographs taken by the OPP, both on the night of the accident and on the morning after the accident. They certainly do show the road—it may be questionable whether it is bare, but you can certainly see the white lines, you can see the pavement; the road is well ploughed as far as the ploughing is concerned. I didn't want to leave an impression that might not have been correct.

Mr. Speaker: Orders of the day.

UNIFIED FAMILY COURT ACT

Hon. Mr. McMurtry moved second reading of Bill 189, An Act to establish the Unified Family Court.

Mr. Speaker: Please, may I ask the hon. members as they're leaving the chamber would they please do it as quietly as possible?

Mr. Renwick: That doesn't bother me, or the Attorney General, I'm sure.

We support the principle of the unified family court and the establishment of it on an experimental basis, in the first instance, in the regional municipality of Hamilton-Wentworth.

The purpose of the bill is laudable. The jurisdiction of the court is laudable. If there are any comments that need to be made they could best perhaps be made, with one exception, when the bill is in committee, when we deal with the questions of the mechanics of the operation of the court and whether or not there are any amendments which may be required in order to make certain the purpose of the bill is achieved.

I did, however, want to express a great concern that we as a party always have when we find, disguised as cutting through legalistic red tape, that the government of the province of Ontario allows an aggressive federal government to entrench upon the position of the province of Ontario under the constitu-

tion. I don't want to elaborate at any great length about that question, but it's the history of this government that it has, over a period of time, been subservient in constitutional matters in a large number of areas to the federal government. In this particular case the Attorney General acknowledged that he had been subservient to the Minister of Justice—

Hon. Mr. McMurtry: Oh no, no, no, no.

Mr. Renwick: —and, what was more important, he thanked the Minister of Justice for allowing him to give away part of the constitutional position of the province of Ontario with respect to the appointment of judges for the purposes of this bill.

It may well be that he will say he had no other alternative. I would think one of these days this government, with the assistance and support of the province of Quebec, will be able to protect itself—it certainly can't do it alone—against the aggressive encroachments of the federal government. I want to refer very briefly to that point because the Attorney General made his statement in connection with it.

[3:15]

Under the constitution of Canada, there are various provisions which relate to the question of the appointment of provincial judges. I want to refer to a very lengthy case in the Supreme Court of Canada in 1938, and I want to refer to certain succinct passages in that bill to indicate the persistence of the federal government and the incapacity of the government of Ontario to deal with the matter.

This was a reference which was made in 1938: "In the matter of the reference concerning the authority of judges and junior and acting judges of the county and district courts, police magistrates, justices of the peace, and judges of juvenile courts to perform the functions vested in them, respectively, by the Legislature of the province of Ontario, pursuant to the provisions of The Adoption Act, The Children's Protection Act, The Children of Unmarried Parents Act and The Deserted Wives' And Children's Maintenance Act, being then within the Revised Statutes of Ontario, 1937."

The reference was made mainly at the request of the then Attorney General of the Province of Ontario, asking the following questions: "In several of the provinces of Canada in the case of certain social legislation, the Legislatures have purported to confer extensive judicial powers upon officials appointed by the Lieutenant Governor in

council to be members of tribunals constituted under the said legislation. Questions have been raised whether these judicial powers are such as were theretofore exercised only by the superior and district and county courts of the provinces, in which event doubts arise as to whether the said judicial powers have been validly conferred.

"In one of these cases, the Hon. Chief Justice of Ontario described the question of jurisdiction as being of great public interest and importance, and stated that it was desirable that it should be settled by the court of final resort. The Attorney General of Ontario has represented to the Minister of Justice that there are four Ontario statutes of wide-spread application in relation to which the question arises." I named the statutes a moment ago when I quoted from the heading of the reference in the Supreme Court of Canada.

"The Attorney General of Ontario further represents that the effective administration of the aforesaid statutes has been greatly impeded by the doubt that had been raised as to the validity of their provisions relating to the exercise of judicial powers, and has requested that the same be referred to the Supreme Court of Canada in order that the doubt may be set at rest."

Then the reference is made to the Supreme Court of Canada and unanimously the Supreme Court of Canada answered the question, yes, the provincial government under the authority of the Constitution had the capacity to appoint judges of the provincial courts which are now the provincial court criminal jurisdiction and the provincial court family jurisdiction, and of course there is the long train of other cases which deal with the matter.

The particular quotation that I want to make very succinctly from a very lengthy judgement of the then Chief Justice of Canada, Chief Justice Sir Lyman Duff, was: "The practical problem raised by this reference is whether or not it is competent to the province to invest the officers presiding over these special tribunals, as well as justices of the peace and police magistrates, with the powers of summary adjudication conferred upon them by the statutes, or whether, on the other hand, as is contended by those who attack the legislation, they are disabled in some important respects by section 96 of The British North America Act from taking advantage of this convenient summary procedure which has proved so efficacious."

I ask the Attorney General to mark—as he undoubtedly has marked in the discussions

which he has had with his own law officers—the following quotation: “Now, it seems to be indisputable that sections 96 and 97 of The British North America Act contemplate the existence of provincial courts and judges other than those within the ambit of section 96. Indeed, it would be a non-natural reading of those sections to construe them as applying to such courts of summary jurisdiction as magistrates and justices of the peace. Besides, such a construction, having regard to the circumstances, even if the language in its ordinary sense extended to such judicial officers, would seem to be excluded by the fact that all judges appointed by the Governor General are to be selected from the bars of the respective provinces. That the statesmen responsible for Confederation could in fact have contemplated such a restriction upon the appointment of magistrates and justices of the peace would be a supposition that nobody having any knowledge of the circumstances of the country could countenance.

“Nor, so far as I know, has it been contended since 1892 that magistrates and justices of the peace and courts presided over by them at the time of Confederation fell within the intendment of section 96. Nevertheless, the argument before us in support of the attack on the constitutionality of the legislation based upon some dicta decisions of the last few years appears logically to involve the conclusion that magistrates and justices of the peace exercising civil jurisdiction are within the purview of sections 96 and 97 and it is necessary to examine the validity of this position.”

He goes on then to indicate—and I want particularly to put on the record this particular quotation from the Chief Justice's decision in that case: “Shortly after the The British North America Act came into force the view was put forward by the Department of Justice”—that's the federal Department of Justice—“in reporting on provincial legislation that no prerogative rights of property and no prerogative power passed to the provinces and that the provinces had no legislative jurisdiction in respect of such rights or powers. Notwithstanding the convincing argument set forth in a memorable state paper by Mr. Mowat, in which he expounded the views of the government of Ontario touching the relation of the provincial executive to the Crown; notwithstanding the decision in *Regina versus Coote*; notwithstanding the decisions of the Ontario judges supporting the doctrine advocated by Mr. Mowat on which the Ontario legislation was based,” the Department of Justice did not yield the ground it had taken up in this controversy

until the decision of the Privy Council in the *Maritime's Bank* case which was then in 1892.

They then yielded that particular point until 1932 in the *Martineau* case when again the federal authority raised the question of jurisdiction and of course they were again overturned. In 1938, the Supreme Court of Canada determined the question of the jurisdiction of judicial appointments made by the government of the province of Ontario by the Lieutenant Governor in Council in the role which they could play in the administration of justice in the province under head 14 of section 92 of The British North America Act, regardless of the power conferred upon the federal government for the appointment of judges of the superior courts under section 96:

Having said that, I want to say to the Attorney-General that his original approach to the federal government was the correct approach. It was a constitutionally supportable approach. It had no basis in constitutional law to support the position taken by the Minister of Justice of the federal government. I do not know why, when situations like that develop in something called the interest of expediency or in the interest of cutting through legalistic red tape, we continually sacrifice to the federal government essential components of the jurisdiction of this province, which is an essential ingredient to the federalism of Canada.

I say to the Attorney General he should have said to the Minister of Justice in Ottawa that the position we are taking is for him to confer his jurisdiction on these judges and we'll confer our jurisdiction on the same judges so that we can have the achievement through co-operation of the unified family court for the beneficial purposes. I don't know why that question could not have been referred when the problem initially arose in the discussions of the Law Reform Commissions with respect to the urgent social need in order that the matter could be decided and then, on the basis of that reference, to have established these courts. But, oh, no, the Attorney General, consistent with the policy of the government of Ontario over the years of Tory domination of the government of the province, has decided otherwise.

The result now is that the judges who will preside over the unified family court will be judges appointed by the federal government, even though the Attorney General believes that in the initial instance he has the consent of the Minister of Justice of Canada to designate who those judges will be.

In any event, the jurisdictional provisions of the unified family court bill, Bill 189, are very good provisions. The specific provisions for the functioning of that court in an initial way—experimental only in the sense of making certain it's the initial effort, and that it can be worked out satisfactorily rather than in this experimental sense and that it will not become a part of the system of the administration of justice in the province of Ontario—all of those matters are ones with which we agree.

Our sole dissent is on the very point which the Attorney General went to such great lengths in his opening remarks to justify or excuse, and on that particular point we disagree with him. One of these days, of course, that question will be otherwise decided; then we can then redo the united family court to take into account the concurrent jurisdiction of the province of Ontario and the correlative jurisdiction of the federal government under the constitution, and invest the particular men who are chosen to exercise those judicial functions with the powers which are necessary to enable these courts to function.

With that caveat—a serious and important caveat in these days when the constitution is not only fashionable as a matter of discussion and concern but is rapidly approaching a point where we may very well find that a significant and substantial revision of the constitution is necessary—with that one reservation, we agree and consent to the bill.

I would assume that at some point the broader question of the participation of the provincial governments in the designation of persons to be appointed under section 96, both for superior court purposes and for the purposes of the Supreme Court of Canada, may be one of the topics among many which will be required at the time when the constitution of the country is revised.

With those comments, we will support the bill on second reading.

Mr. Roy: Mr. Speaker, I rise to make some enthusiastic comments about this type of legislation. I have some reservations about certain clauses in the bill, but generally I do want to say that my colleagues in the Liberal Party and I are in full support of this legislation.

I think you know, Mr. Speaker, that I've talked for some time in this House, as well as outside of this House—during the campaign for the leadership of our party, in fact—about difficulties in the administration of justice. In fact, many of the things that I said at that time, I am pleased to say the Attorney General has acquiesced to or has picked up.

I'm not suggesting there has been theft or anything of this nature; I think it was in the works anyway.

These were things I voiced as a member of the profession and as one who was concerned about the administration of justice lagging behind; sometimes I felt we were operating an administration of justice system that was perhaps 50 or 100 years behind 1976 society. This is the type of legislation which I hope will bring back an administration of justice system that is responsive to the people out there in the community.

As one who has done certain work in the family courts and who has had some experience as a practitioner in family law, it was always extremely difficult for me to explain to clients, to the public out there, why it was that if there was a problem, say, of assault, involving a husband and wife, they'd end up in provincial court, family division; if they were fighting over the children's custody and so on, they were in county court, and if they were fighting over alimony, divorce or whatever, they might be in Supreme Court. To the average citizen, it just didn't make sense. In fact, I would go a step further and say that I feel—and I say this sincerely to the Attorney General—as far as the average citizen is concerned, there are too many levels of courts presently in this province. There's one too many, and I hope that we'll look at that.

[3:30]

As my colleague from Riverdale has mentioned, there is a jurisdictional problem involving the federal government and the provincial government and it's difficult to deal with. But to the public out there, the jurisdiction argument is not a very good excuse. They want a system of justice which will be responsive to the needs of the community of Ontario, the community of 1976 and 1977. It's important to have rules and procedures and expediency involved in that to keep up with this vibrant society we have in this province and in this country.

I've talked about this. I've talked about the need for a unified family court and I'm extremely pleased to see the experiment starting in the judicial district of Hamilton-Wentworth. I trust and I would hope that the experiment will work because I would like to see it proceed right across this province. As my colleague from Riverdale has said, there is a problem; there is a jurisdictional problem and there is a problem of appointing judges.

For the lay person, the person out there on the street, it's hard to imagine that the two

levels of jurisdiction will be fighting to keep their jurisdiction to appoint certain people at certain levels of the court. What transpires in this particular situation is that they're taking provincial court judges and swearing them in as county court judges so they become local judges of the Supreme Court. I take it that that is the system because it's not clear from the bill that these are not county court judges who are going to be given provincial court jurisdiction. It's the other way around.

I sort of sympathize. I've discussed this matter with the Attorney General during the estimates and I sympathize with the Attorney General that he may well have in this province some reluctance to say to the feds, "You appoint these people in the unified family court." I appreciate and I understand his argument that the general public associates family problems or the family court with the provincial court, family division more than with the county court or with the Supreme Court.

That is the court, really, which deals with the everyday problems and the highest number of citizens participate in the process at that level. I'm in full support of the Attorney General wanting to keep that jurisdiction for the province.

It's difficult for me—it's really difficult for anyone who tries to explain it to the public—to say, "We've got to start with an experiment like this." It's ironic. The federal government says it is in favour of this; the province says it is in favour; everybody I talk to says he is in favour of this, yet we're starting off with an experiment.

The reason is there is a problem over who's going to appoint these people to the unified family court. The federal people say it should be them; and the province says it should be us. I've already said I support the Attorney General about his stand. It's hard for me to understand the federal people on this, I realize in everyday politics it's important to have that right or that privilege to say, "You're a judge, and you're a judge, and we appoint these people." That is something which, I suppose, is important to a government in power or to a party in power or whatever. But to the everyday person, again, it's not. He says, "What's this jurisdictional argument? Who cares? If the fellow is competent, who cares who appoints him, whether it's the province or the federal government?"

I would hope that we would see both jurisdictions—

Mr. Renwick: I care.

Mr. Roy: My colleague from Riverdale says, "I care." This might make a nice philosophical argument—

Mr. Renwick: It's not philosophical.

Mr. Roy: Really, the lay person on the street doesn't particularly care who appoints the individual as long as he's competent and does the job. It seems to me that should be the first criteria.

Mr. Renwick: That is what your party has done to the constitution of the country; it doesn't matter.

Mr. Roy: I appreciate that it's not quite that simple; there is some merit in appointments being made at different levels. I would hope that there would be some agreement over a period of time and the federal government will realize that these people functioning in that court should be appointed by the province.

The other thing in all of this is that there is a feeling as well that the people appointed by the province—whether we're talking about the criminal division or the provincial division—were inferior to those appointed at the county court level; and that the county court people appointed by the federal government are inferior to the Supreme Court level people. It used to be that way; I think there is very little doubt, as one who has practised in the courts, that there was a division. The brighter, more competent people usually ended up at a superior level.

The fact remains there's been a tremendous improvement in the calibre of appointments. One of the reasons, of course, is that the salary, the remuneration, for people at the provincial level has changed drastically. I can recall it was just a few years ago that provincial judges were paid \$9,000, \$10,000 or \$12,000 a year, whereas their confreres at a higher level—county or even Supreme Court—were sometimes paid three and four times that amount.

So I think there has been that improvement and that has helped to draw in more competent people at the provincial level. But I think that as the gap between these three levels of the courts narrows—it really has—we will reach a point where the appointments whether they are at the unified family court level or the Supreme Court level, are appointments of individuals of equal talent; and whether the individuals end up in one court or the other will depend very often on the type of background they've got or on a particular desire to serve in one court as opposed to another.

But I do say, and I want to emphasize it again, I think it is important that this problem be resolved. And I really have some difficulty in understanding the intransigence of the federal government in not being more flexible in this area.

Having said this about the competence of judges and the feeling that certain judges at a superior level feel that they are more competent than others, it leads me to another point in the legislation which is of concern—and I have discussed it with the Attorney General—and that is section 5. I discussed this matter with the Attorney General and as I understand it section 5(1) will be stricken from the bill.

I found it to be offensive to some degree to the new unified family court where you had a situation where you could, in fact, go to a Supreme Court judge and say to him that “this matter involves important questions of law or related to other important issues which are extremely wide,” and you could say to him, “I think that this matter should be taken away from a unified family court and should be heard in the Supreme Court.”

I frankly thought it was a definition which was, first of all, somewhat offensive to the new unified family court; and secondly, much too wide. It could be used, for instance, by litigants who had sufficient funds to stall proceedings. Who would it benefit, again? It would be the litigant who has sufficient funds to bring on this type of motion.

And so I am pleased—and I take it that it is still his policy—that the Attorney General will remove this section from the bill; because I think if we are going to start an experiment, let's see if it works, let's not start off an experiment by saying right away, when we get into important issues: “Take it away from the unified court and take it to another forum.”

I think that section should be removed and I am anxious to hear the Attorney General in fact, confirm that it will be. I really feel that there are appeal procedures. In fact, one of the appeal procedures, if that was the mood of the drafters of the bill, was that if there are important questions of law they could have a sort of stated case type of approach to it; if they weren't satisfied with a decision they could have taken a stated case as we do on summary conviction. But the present drafting of section 5(1) I think is not adequate.

I like what is mentioned in section 5(3)—that the parties can, for all intents and purposes, consent that the court may determine

certain matters which may well exceed the jurisdiction of the court—these are all matters which simplify things and which are much needed in the administration of justice in this province.

Apart from some of these brief comments, the other thing I wanted to mention about the bill is, of course, that this type of court will be operating without a jury. All issues and matters as referred to in the schedule in the region of Hamilton-Wentworth—all matters under, for instance, The Divorce Act, The Juvenile Delinquency Act, reciprocal enforcement of maintenance orders; all this—by and large family matters—are dealt with without a jury. That is why it is important to have qualified people on that court. Because in most matters, whether it be criminal or civil, there is still this right to jury, but it is a known fact that in family law, by and large, we try to stay away from jury trials. Having said this, not having the right to have a jury decide the issues it's then important, of course to have competent judges looking at these issues; and further that these judges have access to experts or to people who have some experience, not only in the field of law but in the field of social services, psychiatry and so on, to be of assistance to them.

Apart from these very brief comments my only concern—and I think I've mentioned it to the Attorney General—is section 24 where it says “it shall be repealed in three years.” I would have been more optimistic than that. I would have hoped that this experiment did not have to go three years, but that, in fact, we would be in a position to judge the effectiveness of this experiment in a much sooner period of time than three years. I would hope that the problems about the appointment of judges would have been resolved in a more expedient period than three years and I'm still optimistic about that.

The administration of justice requires an awful lot of co-operation between the province and the federal government, and that's in all fields. For instance, even in the field of family law, The Divorce Act is a federal statute but the administration of it is going to be provincial under this legislation. So that by and large in our laws, criminal and so on, where the federal government is, in fact, passing the laws and the province is in charge of the administration and the enforcement of these laws, it requires very close co-operation. I would hope that it will not take three years before the federal government and the province resolve some of the disagreements or some of the difficulties and have once and for all in this province a uni-

fied family court right across the whole province. Thank you Mr. Speaker.

Mr. Deputy Speaker: Does any other member wish to participate? The hon. member for Beaches-Woodbine.

Ms. Bryden: Thank you, Mr. Speaker. We are certainly strongly in support of this bill, as my colleague has indicated. In my comments on the family law reform bill, I stressed that we needed more programmes to build up the institution of marriage itself, instead of just providing for the division of property and the rights of the spouses on marriage breakdown.

Many of us in this party felt that the thrust of that bill was rather too negative and that the government should be developing policies to help spouses and families to solve their problems and to strengthen their marriage, and we feel that this legislation is one step in this direction.

In that previous debate I also expressed considerable concern about the emphasis on the use of court procedures and the adversary system in the implementation of family law reform. Litigation over property and assets can be very divisive and make reconciliation attempts more difficult. We hope that the unified family court will get away from the adversary approach. For this reason we welcome any attempt to humanize our court procedures. The concept of the unified family court seems to be a move in the right direction.

Mr. Deputy Speaker: Will that gaggle of members down at the far end of the chamber keep their voices down please?

Ms. Bryden: We are glad that it was finally possible to work out the jurisdictional problems with the federal government; although they are not entirely worked out, as the preceding speakers have indicated. We hope it will be possible to bring together the various kinds of actions and procedures so that family problems will not be treated in isolated boxes but looked at as a whole.

We hope the province will not wait for the full three-year period which has been announced for this pilot project in Hamilton-Wentworth before it makes an evaluation and decides whether to proceed with the unified family court in other areas of the province. It seems to me it would be very unfortunate if the residents of this province outside of Hamilton and that area have to continue with the divisive atmosphere of adversary litigation in family matters in the regular courts for several years to come.

[3:45]

With regard to costs, we don't know how much extra the unified family court will require until we see the estimates. I would hope that some false notion of restraint does not inhibit the establishment of further unified family courts. I am sure that if one studies the effect of their actions, in the long run we will find that a unified family court will actually bring us savings of both an economic and a social nature, in the costs which result from family breakdowns.

It is false economy to delay the establishment of machinery and of systems which will play what we hope is a preventive role and which will, in some ways, build up rather than foster the breakdown of marriages. We support this attempt to modernize and humanize our judicial system.

Mr. Deputy Speaker: Does any other member wish to participate? The hon. member for Wentworth.

Mr. Deans: Thank you, Mr. Speaker. I have very little to say after hearing both my colleagues; one analysed the bill very nicely, the other set out—

Interjection.

Mr. Deans: Is that a nervous twitch? The other put before us the more human aspects of marriage breakdown.

I want to say that what was said by my colleague for Beaches-Woodbine is something that many people, I am sure, in the Legislature share concern over—that is trying to make the institution of marriage more manageable rather than continuing with the deterioration that has been evident over the last number of years. I think in general that we in the Hamilton-Wentworth area are pleased that the area was chosen for the pilot project, given that we hope it isn't because we have a larger number of marriage breakdowns in that area but rather because we represent, in a general sort of a way, what the province of Ontario is facing as the people attempt to find solutions to very difficult problems.

The comments I have heard with regard to the unified court range all the way from—I think to some extent they are born out of frustration because many of the comments have been made by people who have been through or are in the process of going through the existing court structure in an effort to resolve a marital dispute—they range all the way from a cautious optimism on the one hand to an understandable scepticism on the other.

People are cautiously optimistic that this will bring about a much more humane way of dealing with problems which are very personal in nature. It will avoid, hopefully, the continuous and long drawn out process which causes a great deal of hardship to both parties in the dispute and not only to them but to their families. It causes a great deal of upset and worry to the parties involved and for the children there are even more problems and more concern.

I think it's unfortunate that people in a marriage breakdown are required to air their differences in public at all. I really do. Again, we get to the problem that it's unfortunate we can't agree to disagree and go our separate ways, having the matter dealt with in a much more realistic and sensitive way. However, the law being as it now is and the adversary system—which will be maintained even in the unified family court—continuing as it has, one can only hope that the very atmosphere of the family court itself will be cause for a more balanced approach to the resolution of their disputes.

One can hope the years of experience which have gone into the family court and the way in which it has dealt with problems which came before it will prove to be a good catalyst for the finding of ways, wherever possible, for people to go their separate ways without the degree of animosity, distrust and hatred which has been revealed. I think it was there in any event, but I think the court system's delays which were encountered in trying to finalize property separations and other matters, added substantially to the frustrations felt by people. Once they had made the initial break, once they had decided that their lives could no longer be lived together they then found that the courts frustrated their attempts to make the separation. They were dragged, month after month and in some cases year after year, through a number of processes and through different courts in order to find satisfactory resolutions to their difficulties.

I am pleased that the federal government finally has agreed with the provincial government to arrange that the jurisdiction can be shared in this preliminary way. I am hoping, as I believe the member for Ottawa East said, that we will be able to see very clearly, well before the three-year period is up, the benefits that will flow will be evident in the ease with which these matters—"ease" is the wrong word, in fact; I think the delicacy or the concern with which matters can be dealt with in a family court rather than in the courts in which these were previously dealt with.

I hope too that the end result of it will be that we will see this particular policy adopted across the province of Ontario and beyond, and the federal government will take the initiative to institute elsewhere, on the basis of this model, a court system that will perhaps begin to deal with the human and emotional problems that flow from what are very personal matters, rather than simply dealing in a very legalistic way with the entitlements without giving adequate and due consideration to the concerns and the general well-being, emotionally and physically, of the parties involved.

Mr. Deputy Speaker: Does any other member wish to participate? If not, the hon. minister.

Hon. Mr. McMurtry: Mr. Speaker, I am very pleased to have the benefit of the wisdom of my colleagues in the Legislature. I am always pleased to receive constitutional advice from the member for Riverdale; and although I am always pleased to receive it, of course it doesn't mean that I necessarily agree with it.

The member for Riverdale referred, I think, to the adoption reference before the Supreme Court of Canada. I would just like to comment briefly on this constitutional dilemma, particularly as it was alleged that the province of Ontario was allowing the federal government to further infringe upon the position of the province in relation to provincial rights under the constitution.

I should point out to the member for Riverdale that there is absolutely nothing we can do by provincial legislation, of course, to give property jurisdiction or divorce to our courts or to this unified family court. I think all members would agree that these matters are fundamental to a truly unified family court. It is true, while the province may have legislative jurisdiction over property, we still can do nothing to assign these subjects for adjudication to our provincial courts. That, of course, was the dilemma with which we were faced.

We have not capitulated to the federal government, and I must take strong issue with any suggestion to that effect. We could have gone on for a considerable period of time debating the constitutional issue and who has the appointing power. It certainly was hoped that the federal government would agree to dual appointments, and we feel this would have been constitutionally valid. In the interests of proceeding with this very important project, we agreed simply to a compromise, a very reasonable compromise,

whereby the federal government would confer section 96 jurisdiction on members of the provincial judiciary. In our view, this was a very reasonable solution to a problem and a controversy that could have delayed the initiation of this project for many months. In British Columbia, in that great social democratic haven as it once was—

Mr. Deans: It still is.

Hon. Mr. McMurtry: —they chose to solve the constitutional issue by what I must refer to, with respect, as a very Mickey Mouse approach. They decided they would solve this constitutional issue by establishing a so-called unified family court, which involved sort of an elaborate game of musical chairs. They'd have a provincially appointed judge dealing with certain matters of the same family dispute but when it fell within section 96 of the constitution, they'd move in a federally appointed judge. They had, I think, the rather impractical situation of judges sort of playing this game of musical chairs in order to apply the necessary jurisdiction to the various issues which might arise in one family dispute. It was a Mickey Mouse approach from what some might say, rather unkindly, was a Mickey Mouse government.

Mr. Roy: Not the NDP.

Hon. Mr. McMurtry: The people recognized this fact and, of course, in its wisdom the population replaced the government. Unfortunately, the Mickey Mouse project remained and, in our view this simply is not in the interest of the population, of the citizens, in relation to a truly unified family court.

Mr. Deans: You're basically a nasty fellow.

Hon. Mr. McMurtry: Not at all. We have worked out a very rational compromise and I hope it will not be long before the federal government, if I may paraphrase the member for Ottawa East, will perhaps reassess its position and recognize the wisdom of co-operating fully with the province in extending this very important project across the province. I hope the three-year period we have given this pilot project will be an outside figure and we may be able to move across the province at an earlier time.

I was interested in hearing the views—I think the very important views—of the member for Beaches-Woodbine in respect to the desirability, with which I fully agree, of removing the adversarial character from the family courts wherever possible. I would like to say to the member for Beaches-Woodbine

that one of the very important features of this project is a conciliation service which will be a part of the court. It's planned that we're going to have two full-time conciliators on staff who will be available to assist in all civil cases. There will also be pre-trial procedures on a voluntary basis which, again hopefully, will have the effect of removing the adversarial character wherever possible and wherever it is in the interest of the parties and, of course, in the interest of justice to do so.

There can be no question that Hamilton-Wentworth as suggested, is economically, certainly, a typical cross-section of the Ontario population. It represents, I think, a useful mix of urban and rural areas with a very large industrial city at its centre. We believe, as has been recognized, that it is indeed a good setting for the development of a court which, hopefully, will be expanded in the near future across the rest of the province.

I'm also pleased to note that the bar, the practising lawyers, in Hamilton have expressed support for this project and have indicated their desire and willingness to utilize the project and its support services.

[4:00]

Again, coming back to the remarks of the member for Ottawa East, I was very interested in and receptive to his comments in relation to section 5 of the bill which, as presently drafted, would allow any party to the proceedings to apply to the Supreme Court, where in that party's view the issues involved important questions of law or were related to other important issues, to remove the proceedings from the unified family court.

I did agree with the member for Ottawa East that this, firstly, could serve to undermine the stature of this unified family court and, secondly, could be a tool to be used by one or other party—perhaps the party that was in a better economic position—to delay proceedings by attempting to move matters out of the unified family court into the Supreme Court. Therefore, I have responded to his concerns, which on reflection became my concerns, and we do intend to propose an amendment to remove subsections 1 and 2 of section 5 from the bill.

In conclusion, I am grateful for the general support by the members of the Legislature for this important legislation with respect to this pilot or developmental project, because I agree it is a very important step forward in terms of reforming our whole approach to family law, both from the actual statutory law on the one hand and, on the other hand,

the form that is going to be utilized to resolve these unhappy matters.

Motion agreed to.

Ordered for committee of the whole House.

JUDICATURE AMENDMENT ACT

Hon. Mr. McMurtry moved second reading of Bill 190, An Act to amend The Judicature Act.

Mr. Roy: Mr. Speaker, I don't think the discussion on this bill will be very long. As the Attorney General has explained, we are losing one Supreme Court judge, who is going on the commission to look at the Reed Paper matter, and this bill will allow the appointment of one further Supreme Court judge.

I think all members, including the Attorney General, will join with me in saying that I trust the person who is appointed to replace Mr. Justice Patrick Hartt will be of equal calibre, because he is a man whose stature will not only be seen on this Reed Paper inquiry, but whose absence from the Supreme Court will be missed. If we can do nothing else, we simply wish the Attorney General of Canada, who actually is going to be making this appointment, will make an appointment of a stature equal to that of Mr. Justice Patrick Hartt.

If I might speak on one thing that is completely out of order to this bill, I would again plead with the Attorney General that one thing I would like to see amended in The Judicature Act is the interest rate on judgments; it is absolutely ludicrous and I would have liked to have seen it changed in this bill.

Mr. Renwick: Mr. Speaker, we support the principle of the bill. I would like to ask the Attorney General, since this is not a money bill—the government of Canada pays their salaries and, therefore, it would be quite appropriate even for us to introduce it—whether he might consider raising the number from 36 to 40. I was thinking that perhaps the threesome on the front bench of the Liberal Party might be glad to vacate their seats. I was thinking of the member for Wilseon Heights, the member for Sarnia and—

Mr. Ruston: How about you?

Mr. Renwick: —perhaps the member who has just spoken on this bill.

Mr. Roy: I don't even have my QC yet.

Mr. Renwick: It would be another first for the member for Ottawa East.

Mr. Ruston: Pay for the telegram, Jim, and we will recommend you.

Mr. Renwick: I wonder whether the Attorney General would put the bill into committee of the whole House so that we could increase the number from 36 to 40 and add a conditional clause: provided those three members were appointed by their party to the court. We could have three by-elections, the business of the House would be expedited and it would be a useful test as to the result of the next election.

Mr. Roy: Not at all.

Mr. Renwick: So I urgently request consideration by the Attorney General of that suggestion. Otherwise, we're in agreement with the bill.

Mr. Roy: Can I get up on a point of privilege seeing that I have been somewhat maligned?

Mr. Moffatt: We will put you in first place instead of fifth.

Mr. Roy: As much as these three appointments would enhance the Supreme Court of Ontario, I think the total void caused by the appointments in this House could not be tolerated or accepted.

Mr. Speaker: In the Christmas spirit, I'll not scold the hon. member.

Mr. Renwick: Mr. Speaker, on a point of order, I have just been whispered to by a friend who would like to make it 41.

Hon. Mr. McMurtry: Just to respond to the very worthwhile suggestion from the member for Riverdale, it is something I certainly will take under advisement. I'd like to reflect upon it over the winter and perhaps it might be an appropriate amendment in the spring.

Motion agreed to.

Ordered for third reading.

THIRD READING

The following bill was given third reading on motion:

Bill 190, An Act to amend The Judicature Act.

UNIFIED FAMILY COURT ACT

House in committee on Bill 189, An Act to establish the Unified Family Court.

Sections 1 to 4, inclusive, agreed to.

On section 5:

Mr. Chairman: Hon. Mr. McMurtry moves that section 5(1) and (2) of the bill be deleted and further moves that section 5(3) be amended by striking out the word "a" before "judge" in the sixth line and inserting in lieu thereof "the."

Mr. Renwick: I would say we would support the amendment and the proposal that was made a few moments ago by the member for Ottawa East in connection with that matter for the reasons which he gave. I would assume that during the operation of the unified family court in Hamilton-Wentworth if there are such matters and if it were important that the jurisdiction not be exercised by the unified family court, they would come up in such a way that there would be some method by which a superior court could intervene in any event.

Rather than to invite applications to the Supreme Court on such questions we agree with the deletion of the provision and the amendment proposed by the Attorney General which reflects the proposal made by the member for Ottawa East.

Mr. Roy: I appreciate the comment from my colleague from Riverdale. I say to the Attorney General I think we discussed this matter yesterday and I appreciate his astuteness, I suppose I should say, in having verified this with the officials and realizing that in the process of an experiment we should not start by second-guessing the unified family court. I think what we're seeing here basically is, again, a process of consultation and co-operation among the three parties here in acquiescing to an amendment which we feel will make a better experiment and make a better bill.

Motion agreed to.

Section 5, as amended, agreed to.

Sections 6 to 8, inclusive, agreed to.

On section 9:

Mr. Renwick: This is not by way of any criticism of the proceedings, simply to ask the Attorney General to comment about the closed hearings. I recognize the conflicting balance of interests which are involved as well as anyone does in such matters as this, but I think it is important that the Attorney General comment about it because of the departure from the tradition of the courts that the courts be held openly.

It's my understanding at the present time that only the provincial courts, family division, dealing with respect to juvenile matters, in fact are closed. I may be wrong in that but I

know they are closed for that purpose, whereas this provision provides for closed hearings for, for all practical purposes, all cases that come before that court. Therefore, it does seem to me that it requires some comment.

I can't concede there would be very many cases before the unified family court which would not involve the possibility of the disclosure of intimate financial or personal matters and that, therefore, what we are really talking about is a closed court.

Hon. Mr. McMurtry: I might point out to the member for Riverdale—and he may be quite aware of this fact—that there is a similar section in The Destered Wives' and Children's Maintenance Act. It's also our view that a court does have an inherent jurisdiction in relation to closed proceedings. This matter's been the subject of a great deal of judicial comment because basically or fundamentally a court does have control over its own proceedings. I think The Judicature Act allows closed hearings in the interests of public morals, which is rather an interesting phrase, and, as the member for Riverdale points out, the juvenile hearings are required to be closed under The Juvenile Delinquents Act.

We felt it was desirable, notwithstanding the inherent jurisdiction, to put a specific section in the bill, because I think the recognition by every judge of the desirability of holding judicial hearings in public is fundamental. We've attempted to direct their attention to this fundamental fact, although we don't express it in so many words, by stating "where . . . the desirability of protecting against the consequences of public disclosure of intimate financial or personal matters outweighs the desirability of holding the hearing in public.

I'm confident that our judges do recognize the wisdom and the fundamental importance of wherever possible in the majority of cases, except for cases involving juveniles, of holding hearings in public and that they will interpret this section in a responsible fashion and only close the proceedings where the desirability of holding the hearing in public is clearly outweighed by these other considerations. I would hope this section would not be used by the judiciary to virtually treat this court as a closed court.

[4:15]

Mr. Roy: I think I should make a few comments on that. I'd underline that section as well about exclusion of the public and I share the concerns of my colleagues on the exclusion of the public. As you know, our

courts in Ontario, by and large, with few exceptions, are open courts and we want to keep it that way. I realize that when we're dealing with family problems we need a section like this. The reason I feel I'm prepared to go along with the section is that this is an experiment and hopefully we will not see this section used—or abused, I should say—by the judiciary.

Nevertheless, one always has to comment when there is that inherent power given to the court to exclude the public from the proceedings. As an aside, recently a Supreme Court judge, I think, determined the question of the sanity or insanity of a particular accused in one of the criminal courts from which the public was excluded and we saw the public outcry. The *Globe and Mail* had an editorial about it, the determination of certain issues or a very serious crime in which the full determination was made with the exclusion of the public.

I want to say to the Attorney General, this being an aside, that I discussed with him in the estimates the inherent power of judges to exclude the public, I was told, I think, at that time by your officials and by you that a judge had no inherent power—either inherent power or under the Criminal Code—to exclude the public from a criminal proceeding. I thought there was and apparently Judge Sam Hughes—I think it was—in that case also did. It would be interesting to note under what section he made his decision to exclude the public.

Anyway, I make these comments to express my concern as well about the right to exclude the public.

Section 9 agreed to.

On section 10:

Mr. Roy: I must admit that I am trying to understand the reason for this section in the bill. As I read the bill, under section 5, subsection 3—in the new bill, I take it, it will be just section 5 because subsections 1 and 2 have been excluded from the bill—there is a provision that with the consent of the parties, you can hear certain matters that are not within the jurisdiction of the court. Then we go to section 10 which states, "Where a proceeding has commenced in the court in a matter respecting which jurisdiction may not be exercised by the court, the court may order by or to whom the cost of the proceeding shall be paid."

What is the necessity of this section? I have always understood that under The Judicature Act there is inherent jurisdiction on the question of costs in the court. I see

the Attorney General shaking his head. Maybe he can correct me on this. I always thought that by and large the question of costs was something that was always inherent in the court; that this was a discretion to be exercised by the presiding judge. That was the first thing—why is it necessary to have this section?

The second thing is—aren't we being somewhat contradictory. On the one hand we encourage parties to get along and to consent to the jurisdiction, all with the idea of making this unified family court work, trying to expedite the process, I suppose reducing the number of forms is really the reason for this unified family court. Yet we have another section which says if someone uses this forum for a question which is not within the jurisdiction of the court, the court shall determine the question of costs. I'm at a bit of a loss. I'd like some explanation from the Attorney General on the necessity for this section in this bill.

Hon. Mr. McMurtry: First of all, it is my understanding that there is no such inherent jurisdiction in a court to award costs unless the court is specifically authorized. The section is in there simply to provide relief to litigants who may be brought to that court for—well, he might have malicious motives or other motives that are not in the interests of justice. There is no inherent jurisdiction. Of course, we recognize that costs are always a matter of discretion for the judge, so the authority to award costs does not necessarily mean, as I am sure the member for Ottawa East fully appreciates, that there will be costs awarded.

It is our view that this court should have the authority to award costs in the appropriate case, where the court does not have jurisdiction. Otherwise it is open to individuals, particularly in matrimonial matters where there is generally bad feelings between the parties, to perhaps engage in some form of abuse of the process. We just want to ensure that the court does have jurisdiction to award costs where it clearly does not have jurisdiction, and again, assuming that that jurisdiction will be exercised responsibly and only where the circumstances clearly warrant the awarding of costs.

Mr. Roy: If I might just comment briefly, I must admit that on reading section 7, subsection 2, where it says a whole series of sections from The Judicature Act will be applicable, I had presumed that one of those sections was dealing with costs. I thought if there was some section in The Judicature Act which in fact gave the power to the

court on the question of costs that it would have been simpler just to include that section in section 7, subsection 2, rather than put in a section 10 which specifically talks about the awarding of costs should one be using the wrong form. That was my only reason for concern. I admit again that I have not read all of sections 27, 35, 38, 41, 80, 82 and 119 of The Judicature Act, but I had presumed that one of those sections was in fact dealing with costs.

Hon. Mr. McMurtry: Section 82 of The Judicature Act, which we have incorporated in this legislation, just simply states that the costs are within the discretion of the judge. It doesn't give the court jurisdiction to award costs. As I understand it, there is no section in The Judicature Act that can be incorporated or adopted in this Act that will give this unified family court the jurisdiction without section 10.

Section 10 agreed to.

Sections 11 to 14, inclusive, agreed to.

On section 15:

Mr. Renwick: With your indulgence, my comment on section 15 is, while I think it's quite appropriate that this Act should so state, whether it doesn't require an amendment to The Criminal Code of Canada to include within the definition of "magistrate," under the Criminal Code and again under The Juvenile Delinquents Act of the federal government, an enlargement of the definition.

Rather than try to recall it by memory, I asked for and have just received Martin's Criminal Code, which states that a magistrate means a magistrate, a police magistrate, a stipendiary magistrate, a district magistrate, a provincial magistrate, a judge of the sessions of the peace, a recorder or any person having the power and authority of two or more justices of the peace. It includes with respect to the province of Ontario, and I'll skip the other provinces, a judge of the provincial court.

I think it's interesting that these judges are now county court judges for practical purposes. I would think, subject to what your law officers might advise, you should request an amendment to the Criminal Code to make certain that the definition of the term "magistrate" in the Code includes a judge of this unified family court, or you may find for juvenile court purposes as well as for the Criminal Code that it may not be apt.

If the chairman will give me a moment, I'll just have a look at The Juvenile Delin-

quents Act of Canada. It provides that a magistrate, with a couple of exceptions, means two or more justices of the peace and also a police magistrate, a stipendiary magistrate and any other person having the power or authority of two or more justices of the peace. I raise it only because it may be something that your law officers may want to look into. It would appear to me on first brush at least that it would require a correlative amendment to the Criminal Code and The Juvenile Delinquents Act of Canada.

Hon. Mr. McMurtry: I appreciate the hon. member's comments. This is a matter that has been considered by my senior law officers. The provision in section 15 also appears in The Provincial Courts Act. It's our view that the jurisdiction of the magistrate under the Criminal Code can be exercised by a unified family court judge without any amendment to the Criminal Code. I think parts 16 and 24 of the Code cover this matter. But it's a matter that I'm advised has been thought through by our senior law officers.

Mr. Renwick: I'm certainly not going to labour it. I just think that since the Code itself has the limited meaning given to it and specifically provides that a magistrate does include a judge of the provincial court, it may or may not be so here. I just raised it as a matter of curiosity that went through my mind.

Section 15 agreed to.

Section 16 agreed to.

On section 17:

Mr. Renwick: I can well understand the purposes of the conciliation service that may be established, maintained or operated as part of the court. I don't know just quite whether it is intended to extend the use of the detention and observation home as a method of settling marital discord problems as well. But I did think it might be a helpful innovation.

Section 17 agreed to.

Section 18 agreed to.

On section 19:

Mr. Roy: This might sound very mundane or I might be accused of acting like Gordon Sinclair in making comments on section 19. But once the judge has taken the oath of office, how do we address him now in that court? There are all sorts of titles. Do we call him "your worship," "your honour," "your lordship" or "your graciousness"? How

are we going to address the judge of the unified family court? I'm sure the members of the bar will be interested in this.

[4:30]

Mr. Breithaupt: Just call him David.

Mr. Roy: And secondly, who is going to pay him?

Mr. Nixon: Just don't call him.

Mr. Roy: Seeing that it's a provincial judge with powers under section 96 of the BNA Act, is it the feds that are going to pay him or are you going to pay him? Thirdly, how much is he going to be paid—important things, Mr. Chairman. Is he going to be paid under the provincial court scale or is he going to be paid under the county court scale or under the Supreme Court scale? These are all important things for us more mundane and lowly members of the bar.

Mr. Nixon: Let's see, Don Collins got \$60,000 so we will start there.

Hon. Mr. McMurtry: First of all, these people are technically county court judges although they would be specifically sworn in as judges of this unified family court so, of course, they'd therefore be addressed as "your honour." As the member for Ottawa East knows, our provincial magistrates became provincial court judges a few years ago and became "your honours" in place of "your worships."

They will be paid at the county court level, because that's a requirement under the federal legislation. The federal government has suggested to us that we might pick up part of the salaries, but we felt that in view of the fact that it was an exercise of their appointing power, albeit at our request, that they should have the honour of paying the total salaries.

Mr. Roy: They?

Hon. Mr. McMurtry: The federal government.

Mr. Roy: Will be paying the salaries? Of these judges?

Hon. Mr. McMurtry: That's my understanding at the present time—yes, these judges will be paid at the county court level.

Section 19 agreed to.

Sections 20 to 23, inclusive, agreed to.

On section 24:

Mr. Renwick: I am just curious as to the self-destruct provision. Is it the intention that by that time this experiment will either have been a success or a failure? Or is it what I would hope it would be, that it's a three-year period for the court to be established, to understand its workings so that there would be across the province at that point in time a unified family court system?

Hon. Mr. McMurtry: The legislation is really framed as a developmental project, so it's our view there should be a time frame prescribed in the legislation—although the legislation I should hasten to add is also drafted so that it could substantially apply to a unified family court system across the province with very few changes. But in view of the fact it is a developmental project or pilot project, there is the view that there should be a time period.

We are hoping the project, as I indicated earlier, will have proved itself within the three-year period and it may be we can extend this project across the province before the end of three years. As to what happens at the end of three years if the appropriate parties aren't satisfied the project has totally proved itself or it has not proved itself, of course we will have to cross that bridge when we come to it.

It may be that the project may have to be extended, but I prefer to adopt the role of an optimist and suggest that within three years, in a period of time shorter than three years, the project will have proved itself to the point whereby it can be extended across the province.

Section 24 agreed to.

On section 25:

Mr. Renwick: What is the intention of the Attorney General with respect to the proclamation of the Act?

Hon. Mr. McMurtry: I perhaps may have to consult further with my senior law officers, but I would hope the Act would be proclaimed at the beginning of the year.

Mr. Renwick: The beginning of the year?

Hon. Mr. McMurtry: Yes.

Mr. Renwick: I just have one minor comment on the schedule. I recognize I skipped it at the point in time where a reference was made to the schedule in the body of the Act, but I would hope in view of the tragic circumstances of the Norma Dean death that the Attorney General would, in consultation

with his other colleagues in the appropriate field, deal with that whole question of section 9 of The Training Schools Act which is one portion of the jurisdiction conferred on the unified family court.

I recognize, of course, that the other courts still have that jurisdiction. It does seem to me that when one recalls what the Provincial Secretary for Social Development (Mrs. Birch), your colleague, said yesterday, that the terms of reference for her study did not include section 9, I would hope that the Attorney General would interest himself in the applicability at this point in time in Ontario of having section 9 in The Training Schools Act at all.

Bill 189, as amended, reported.

Hon. Mr. Handleman: Mr. Chairman, I understand there is some question as to whether or not we may complete the legislative order paper this afternoon. There has been agreement to stack all votes on these bills and hold the vote tomorrow at 3 p.m. if there is no objection.

Mr. Deans: I have no objection to doing that.

Mr. Breithaupt: We will agree to that, Mr. Chairman.

FUNERAL SERVICES ACT

House in committee on Bill 171, The Funeral Services Act, 1976.

On section 2:

Mr. Wiseman: Section 2(a)—

Mr. Deans: On a point of order, I think my colleague probably has something ahead of that section, if you don't mind.

Mr. Moffatt: Mr. Chairman, I was—

Mr. Breithaupt: You are going to have to speak a little more loudly.

Mr. Moffatt: Mr. Chairman, I went to section 2 and you asked if there were comments ahead of mine. I would like this time to make a brief comment and then I have nothing before section 2. I did wish at this point to comment though—

Mr. Chairman: On what section?

Mr. Moffatt: On the general section; the bill.

Mr. Chairman: No, there is no general discussion. If you have a specific reference to a

specific section of the bill you may do so as long as it is prior to section 2(2)(a).

Mr. Moffatt: Thank you Mr. Chairman. There is no provision for any kind of general discussion at this point?

Mr. Chairman: No.

Section 1 agreed to.

On section 2:

Mr. Bounsall: On section 2, subsection 1. The comment I would like to make on this is the name of the board being the board of funeral services. It is a very small point but once this is named I would assume that is the name of that board. If one is looking for it in a phone book in the city of Toronto, for example, where the board exists, it will be in the phone book as the Board of Funeral Services. Very few people will think to look for the Funeral Services Board, which it will be affectionately called, under B for board instead of under F for funeral services.

I put this to the parliamentary assistant. In terms of clarity and ease of finding the various boards and commissions we have around the province, it might be best—this would be an example of it—to call it the Funeral Services Board, so it is listed where most people would expect to find it in directories and in telephone books rather than under board.

Mr. Breithaupt: Perhaps Bell telephone can do something with that.

Mr. B. Newman: If I may, we can resolve the problem by listing it both ways in the telephone directory and in that way you won't have problems.

Mr. Good: For 40 years it has been listed in the telephone book as the board of administration—

Mr. Bounsall: It is very difficult to find.

Mr. Good: —and I am sure that people who wanted to know and wanted to get hold of the board would find out how to get it. If they have been able to get under Board of Administration I am sure it will be infinitely easier to find it under Board of Funeral Services than under Board of Administration.

Mr. Wiseman: Mr. Chairman, I agree with the member opposite, I believe the Bell Telephone company will look after it and, if need be, they can list it both ways.

Mr. Chairman: Mr. Wiseman moves that clause (a) of subsection 2 of section 2 of the

bill be amended by striking out the words "at least" in the first line.

Motion agreed to.

Mr. Moffatt: Mr. Chairman, I have an amendment to section 2(2).

Mr. Good: Mr. Chairman, on a point of order. Could I have your ruling? I also have an amendment to section 2(2)(b). I understand, according to advance copies of the amendments by the member who is presently speaking, that he had amendments to both clauses (a) and (b); they would, in effect, be affecting the same section I wish to amend later. Would you rule whether we will deal with both of his amendments first and then with mine or in some other way?

Mr. Chairman: What does your amendment deal with?

Mr. Good: Section 2(2)(b).

Mr. Chairman: What we should do first, then, is dispose of the first half of the amendment, dealing with section 2(2)(a) first.

Mr. Moffatt: What are you suggesting we do, Mr. Chairman? That we split that particular amendment?

Mr. Chairman: Yes.

Mr. Moffatt: Mr. Chairman, they're inter-related. The amendment I have sent you deals with section 2(2), clauses (a) and (b); they are dependent upon each other. If you take one away, then obviously you affect both of the amendments.

Mr. Breithaupt: Mr. Chairman, perhaps we could agree that when that amendment is put, my colleague from Waterloo North could put his amendment to section 2(2)(b) and the section will not have been deemed to have carried. The matter could be resolved that way.

Mr. Chairman: Does that have the agreement of the committee? Agreed.

Mr. Moffatt moves that section 2(2) of the bill be amended in clause (a) by deleting "five" in the first line and inserting in lieu thereof "two," and in clause (b) by deleting "two" in the first line and inserting in lieu thereof "five" and by adding at the end thereof "chosen from among persons nominated by the Consumers' Association of Canada."

Mr. Moffatt: Mr. Chairman, the reason for this amendment we feel is self-explanatory. There is one thing that we're concerned

about with in terms of the way this Act is proceeding through this House, in addition to what, in my opinion, is the undue haste. We attempted, during second reading debate, to have it delayed so there could be a full and open discussion of the entire bill. But at this point, without having had that discussion, we feel it is mandatory that the House make provision for a number of people who are not members of the profession of funeral directors to be able to have input into the operation of this particular Act.

Whether one plays with a number and says two for five, three for five or whatever, I think makes very little difference. What is important is that this bill, rightly so, is attempting to put forward a control over that industry which, according to the people involved in the profession, they have requested and which they wish. What we are suggesting is that that particular kind of control and direction which is going to be given to the profession will be given, not only by those people who tend to profit from it but by those people in a greater sense who tend to be the customers of this particular profession.

[4:45]

What we are attempting to do is to make sure that there is adequate provision for the consuming public to have a position on such a board so that it will become responsive to the public at large.

What we feel should happen is that initially there should have been a much broader discussion. But if that discussion is not going to be held, then obviously we must accept to make sure that those points are noted by the government and by the third party.

Mr. Good: I think we have covered this point during second reading of the bill, but I think it is very important to have lay people on the board. It is a matter that has come into great prevalence in the last 10 years particularly, where the public is invited to join boards.

Mr. Chairman: A play on words, I take it.

Mr. Good: Right. The public is invited to be on these boards and contribute a great deal. Some people had been critical of the fact that the Board of Funeral Services will have on it licensed persons under the Act. Let me say again the necessity for this is simply in the fact that the work load of this board deals more with the technical matters of governing the conduct of the funeral home, the matters relating to examination,

setting of exams and marking of papers, and appearing on the advisory committee of the school which trains the embalmers who are hired under this Act. These matters take up a good portion of the time of that board.

We presently have a lay person on the board. I have spoken to her and she indicated to me that she finds her services are very limited because she feels her purpose there is primarily to deal with complaints by the public. Most of the complaints we hear are generalized complaints by the members of the Memorial Society who up to now have seen fit only to lodge one formal complaint in the last 15 years against a funeral director with the board. That tells me that the board is doing a good job of policing the funeral homes across this province.

If someone has an indication that the board is not doing a good job, let him go and tell the board. Under this new statute, there will even be provision for an appeal to a review committee of any complaint, if they feel the board has not dealt with it properly, made up completely of members of the public. I don't know what could be fairer than that. I have spoken to board members and I have spoken to the registrar and also the lay person on the board, and the work load on that board would be intolerable if there were only two funeral directors on it. We cannot support a five to two split, the opposite of what it is now. I will give reasons later why we would support my amendment which would add one more lay person.

I want to add one other thing. Making it mandatory that representatives of the Consumers' Association of Canada be put on this board, I think defeats the whole idea of having the public represented on this board. When you get a special interest group represented on a board, you might as well say there should be one from labour, there should be one plumber, one electrician, one from here, and one from another association, a lawyer and all the rest of it.

Mr. Deans: It makes a lot of sense.

Mr. Good: Really there are a lot of good people in this province who choose not to belong to any kind of association, with all due respect to the Consumers' Association of Canada. I just feel that this amendment would completely destroy the whole principle of the bill and we will not support it.

Mr. Drea: I have some very fundamental concerns about exactly why there is so much attention directed to the board of funeral directors. The only reason this statute is be-

fore us is that there have been changes bringing in public and lay members to governing bodies of other professions in the health field. Frankly I don't think—in fact I'm sure—that had it not been for previous statutes covering the boards of medicine, pharmacy, nursing, dentistry, et cetera, this would not be before us at this time. It concerns me that the rationale for treating this profession differently to other professions within the ambit of the regulatory authority of the Ministry of Health is somehow the innuendo—and I emphasize innuendo—

Mr. Foulds: You would.

Mr. Drea: —that there is something that needs such an extraordinary reversal of government policy.

That concerns me a great deal and I'm opposed to this because I have had considerable experience in the consumer field. I have had considerable experience with the funeral industry.

Mr. Moffatt: Mr. Chairman, on a point of order.

Mr. Chairman: There's no point of order.

Mr. Moffatt: Mr. Chairman, may I state my reasons for my point of order?

Mr. Chairman: There's nothing out of order. You'll have an opportunity. There's a free flow of discussion in the committee and you'll have an opportunity when I recognize you next.

The hon. member for Scarborough Centre.

Mr. Drea: Mr. Chairman, I oppose this amendment. As I say, I've had considerable experience in the consumer area. This amendment is being put forward as a consumer or a customer amendment. For five years I conducted what was probably the largest and most successful complaint service anywhere on this continent.

Mr. Foulds: Is that in order?

Mr. Drea: When I was with the Toronto Telegram, in five years of Action Line complaints—250,000 of them from all across this province—there was not a single complaint against a funeral director, a funeral home or—

Mr. Makarchuk: They were all dead!

Mr. Drea: —indeed, any comments about the funeral industry, or the old board, or the board that we are replacing now.

In five years in active political life—in an area where there is an older population;

there is a nursing home population; there are funeral establishments—there has not been a single phone call.

Mr. Deans: Who's got a complaint, the patient?

Mr. Drea: What concerns me is why this extraordinary vendetta against a profession that seems to be meeting its responsibilities to serve the community, as well as the individual clientele, a profession that people are hard pressed to produce a single specific complaint about? I really think that to consider in depth an amendment such as this that would treat this profession and isolate it differently from everybody else under the regulatory authority of the Ministry of Health, the only conclusion I come to is that somewhere along the line there is a vendetta and that this type of amendment is a by-product of that vendetta, therefore I oppose it.

Mr. Deans: That's nonsense.

Mr. Foulds: A point of privilege, Mr. Chairman. I think the member is making allegations that are unfounded, that he cannot justify and he should not make them against the other members of the House.

Mr. Deans: I agree. He is attributing motives, that's what he's doing.

Mr. Breithaupt: He is responding to particular motives which you allege.

Mr. Chairman: What is your point of privilege, in particular?

Mr. Foulds: In particular, Mr. Chairman? All right: Vendetta and innuendo.

Mr. Chairman: They are not unparliamentary. The hon. member for Scarborough Centre can proceed.

Mr. Drea: I was finished, Mr. Chairman. Unfortunately with the uproar I didn't hear your ruling on that.

Mr. Chairman: I didn't rule.

Mr. Drea: Oh, okay. I had concluded, Mr. Chairman.

Mr. Germa: I'd like to say a few words on this amendment and probably clarify some of the misunderstanding that seems to be prevalent in the House that this party is in some way zeroing in on the funeral directors. My own personal opinion is it goes much deeper than that.

When I'm talking and thinking about self-licensing and self-regulating bodies a chill

runs up my spine, whether I'm talking about funeral directors, the legal society, the medical profession, or the architects or the dentists. So if it is a vendetta, Mr. Chairman, then it is not concentrated on this one particular group of self-licensed and privileged people who have the power to control and to contemplate their own navel, which is what I think we have here.

I think that is the objective behind the amendment. It is to bring in some people who can come in with an unbiased eye and ride herd on this profession. I would support any move in any other area of The Health Disciplines Act to accomplish the same effect—that a majority of people on the board would be lay people and the board wouldn't be overpowered by those people in the particular professions.

I don't think we have to wait until the Action Line of the Toronto Sun gets 5,000 complaints. We know the average citizen in Ontario doesn't even know he can lodge a complaint as far as the services he receives from a funeral home are concerned.

Mr. Breithaupt: We don't know that at all.

Hon. J. R. Smith: Don't underestimate them.

Mr. Germa: The average citizen doesn't know that. On top of that, at the point in time when a citizen is buying this service, he is in such a distraught state of mind that he is not going to be in the frame of mind to launch a complaint. He might be talking about the bill he received on account of burying his father and it would put him in a bad light in the community if he complained that he spent too much money to bury his father, which is where the complaint would come from.

Certainly the complaint isn't going to come from the person who has been buried, you must understand that. The person who is paying the bill is not of a mind to face the public recriminations which might pertain as a result of his complaining about the price he spent on his dear old father or his dear old mother.

I think the point the member for Scarborough Centre made—that he had not received any complaints—is totally invalid—

Mr. Drea: How many have you received?

Mr. Germa: —has no relevance and should be just stricken—I have had several.

Mr. Chairman: The hon. member for Scarborough Centre doesn't have the floor. He yielded.

Mr. Germa: I've had several complaints as a result of price. That is the main area of complaint directed toward funeral directors. It is the price and the way these people, by one means or another, escalate the price of a funeral.

You and I know about the Cadillac cars and all the paraphernalia which is sold when a funeral is being arranged. The state of mind of a person when he has to go through this process, the members of the family—you have to understand their emotional problem at the same time. They're completely victimized, I would say, at the present time as far as price is concerned.

Mr. Good: I don't even own a Cadillac.

Mr. Germa: They're afraid of public opinion and that they haven't done right by their parents. That is precisely why they have been getting away with the high cost of funeral homes. There must be some discontent. Memorial societies are blossoming all over the province. What's that all about, if there isn't discontent in the public mind? Memorial societies wouldn't be growing right across this continent.

You had to take steps a few years ago to kill the co-operative funeral home movement. There is a problem in this area and I think putting lay people on the board in majority would go a long way to resolving the problem.

Hon. J. R. Smith: It is a good idea.

Mr. Breithaupt: Unlike the member for Sudbury. I do not look upon all of these other organizations as plots.

Mr. Germa: You are part of them.

Mr. Breithaupt: I would suggest that if the member for Sudbury were correct, that people don't complain because they can't do anything about it, surely no one would complain about the weather because none of us can do anything about that. However, it so happens that we hear complaints about the weather every day.

Obviously, people know where they can go to complain, because they would have done so—

Mr. Foulds: What kind of logic is that?

Mr. Breithaupt: —and the comments made by the member for Scarborough Centre, with whom I do not always agree, I think, are

rather cogent in this particular situation. If his experience in his Action Line column, which was successful for a number of years, was that out of 50,000 annual complaints or so—

Mr. Drea: A quarter of a million.

Mr. Breithaupt: Annually?

Mr. Drea: Over five years.

Mr. Breithaupt: Yes, over the five-year time—there were no complaints, I think it is a sign that those persons who might be concerned about this situation would have had opportunity and ability to deal with their complaints.

[5:00]

We have dealt in various other professions with the known and accepted view that lay representation, non-professional in that circumstance, should clearly be on the boards of the various professional groups. I suggest this has worked very well and in no instance has there ever been any suggestion that it would be done in majority. Surely the representation must be there and it is quite clear that more than one person obviously should be in that group.

We have had two suggested, and I understand that my colleague will make an amendment that will raise that number to three, which I hope may find acceptance by the ministry. A board of that size of eight persons I think would be quite satisfactory and surely I would oppose the amendment that has been made.

Mr. Chairman: The parliamentary assistant can get in any time. There's no pecking order. I'll recognize you any time you want to speak. You can speak more than once, if you wish.

Mr. Foulds: I would like to rise to support very strongly the amendment put forward by my colleague from Durham East. I think there is an important principle here and it may be very well that we are breaking new ground with this particular profession, but that profession is used to breaking ground on many occasions. I think there is no objection nor should there be any objection to there being a majority of lay members on the board.

The argument put forward that you need the professional expertise is neatly handled by section 3 of this bill which empowers that board to hire whatever staff, professional expertise or advice or executive body it needs. I see no reason why the consumers of this province should not be protected. The prin-

ciple is a very simple one and we in this party believe in consumer protection and the other two parties apparently believe in protection of the professional in their continued elite kind of position.

Mr. Ruston: How about your profession?

Mr. Moffatt: We don't think that that should be self-governing.

Mr. Foulds: No. Our party has never advocated the self-governing of the teaching profession.

Mr. Ruston: Now, now.

Mr. Foulds: We tell the teachers that straight, unlike some other parties in this House. May I point out that the teaching profession is not self-governing.

Mr. Breithaupt: That is about all you tell the teachers.

Mr. Chairman: Order, please. Would the member for Port Arthur address the Chair?

Mr. Foulds: It does not fall into the category of the professions that have been mentioned in this House earlier.

Interjections.

Mr. Foulds: I beg your pardon, Mr. Chairman. Did you have a comment?

Mr. Chairman: I asked the member for Port Arthur if he would address the Chair with his remarks.

Mr. Foulds: With great pleasure. In terms of consumer protection, I simply want to read into the record a number of letters that I have received since we passed the second reading of this bill that deal particularly with this clause and with the point of protection of the consumer.

A letter from Anna E. Jarrett is very brief and says:

"Dear Sir,

"Re Bill 171, The Funeral Services Act. This bill should be held up until adequate consumer representation is provided."

We are trying, if I may say as an aside, to provide that consumer protection.

Mr. Breithaupt: Does she say what adequate is?

Mr. Moffatt: We suggested this for months, how's that? You didn't support that idea.

Mr. Breithaupt: We certainly did.

Mr. Foulds: You did not. You voted against our hoist motion. You want to rush the bill through. Let it show in the record that the Liberal Party wishes to rush through section 2 and the rest of this bill so that the consumers of the province cannot be protected.

Mr. Drea: Chintzy, chintzy.

Mr. Foulds: Here is another letter: "Dear Jim Foulds:

"We want Bill 171, The Funeral Services Act, to be held up until adequate consumer representation is provided.

"Ernest Gaudreau,

"Kakabeka Falls, Ontario."

Mr. Breithaupt: That's two people.

Mr. Foulds: I have a letter from W. C. Ewing.

Mr. Wiseman: On a point of order, are we allowed to read all the letters that we receive, because I could bring over a bushel basket full?

Mr. Foulds: Please do.

Mr. Bounsall: Would you, please?

Mr. Foulds: Just to make this case, we would be delighted.

Mr. Wiseman: The other night we went through all this on second reading.

Mr. Foulds: —I would move the adjournment so that the parliamentary assistant can get his bushel of letters.

Mr. Wiseman: I don't see why we have to do it again in the committee.

Mr. Chairman: Order, please.

Ms. Gigantes: Go get your bushel.

Mr. Wiseman: We went through this the other night. We read those the other night.

Mr. Foulds: We will send a page out to get the bushel, if you wish.

Mr. Wiseman: You are reading them all over again.

Mr. Foulds: No, these are different ones. If you had paid attention you would know.

Mr. Breithaupt: We are up to three now.

Hon. J. R. Smith: May we have their addresses?

Mr. Foulds: Sure. This is from W. C. Ewing, 125 North McKellar Street, Thunder

Bay F, Ontario. He says: "I wish to protest most vehemently—"

Mr. Drea: This is a new one.

Mr. Foulds: I can't read the next words here in handwriting; ". . . to solicit your vote against the passage of the proposed bill relative to the handling of matters of having to do with death, et cetera. This proposed legislation is patently designed to give a monopoly to funeral directors and to take unfair advantage of the bereaved particularly if, as I understand it, it is made illegal for anyone but a funeral director to give advice. Also in the application of the Act the committee on regulations is heavily weighted in favour of business, being five to two in favour of the funeral directors. This most certainly should not be."

Mr. Good: No, that isn't true. That would put all of you out of business.

Mr. Acting Chairman: Order, please. I'm wondering if the information provided by the member really refers to the amendment before the committee here.

Mr. Foulds: Section 2; that's the funeral services board with the composition heavily weighted in favour of the funeral directors. Does that clarify the matter for you, Mr. Chairman?

Mr. Drea: No, it isn't.

Interjections.

Mr. Norton: What we need is a majority of Tories on the provincial governing body of the NDP.

Mr. Drea: I don't think so.

Mr. Foulds: To that particular point some of us in the party sometimes have the feeling that we've been infiltrated.

All right. If I may, another letter from Victor C. Smith and Sarah J. Smith: "We should like to protest the rapid passage of Bill 171 and urge you to delay second and third reading of the bill until all of its implications have been fully examined and discussed, preferably in a general public forum."

Mr. Ruston: A little order here.

Mr. Drea: You are not welcome.

Mr. Good: Order.

Mr. Breithaupt: Here is the fifth one.

Mr. Ruston: You are not speaking on the amendment.

Mr. Drea: Point of order, Mr. Chairman.

Mr. Acting Chairman: I'm sorry; as the previous chairman stated there's no such thing as a point of order. However, again I'd like to draw to the attention of—

Mr. Angus: We don't have the benefit of a funeral director in our caucus.

Mr. Breithaupt: Some of you could use it.

Mr. Acting Chairman: Order. I'd like to draw to the attention of the member for Port Arthur that I think he is straying considerably from the content of the amendment. I'd ask him to keep his remarks to the amendment.

Mr. Foulds: Mr. Chairman, with great respect, what we are dealing with is the major objection that has been filed with many members of this Legislature against the bill. The major objection is the lack of consumer representation on the board within the Act. Section 2, which we are speaking to, deals with the composition of that board. I say to you with great respect that is the point I am speaking to and it is the major point these letters I am reading speak to as well.

Mr. Drea: You must be clairvoyant if you can see it in the last one.

Mr. Foulds: I could see it in the last one if you'd give me time to complete the letter.

Mr. Acting Chairman: Does that complete your remarks?

Mr. Foulds: No, it certainly does not. I'm just responding to your point and I'd like you to take that under advisement. A letter from the Rev. Gordon Daly—

Hon. Mr. Handleman: What happened to the other one?

Mr. Norton: I hope you are going to send copies of Hansard to all of them.

Mr. Foulds: I hadn't thought of that. It's a very good idea. It really had never occurred to me.

Mr. Norton: Your motives are transparent.

Interjections.

Mr. Foulds: Unfortunately, in this bill so are those of your party.

Mr. Norton: Come off it now. We have a balanced view.

Interjections.

Mr. Acting Chairman: Order, please.

Mr. Eaton: Have you got one from your wife?

An hon. member: Who writes these speeches for you?

Mr. Foulds: Who writes your one-liners?

Mr. Acting Chairman: Order, please.

Mr. Cunningham: That is not in order.

Interjections.

Mr. Acting Chairman: Order, please. Would the member for Port Arthur continue?

Mr. Foulds: This is a letter from Rev. Gordon Daly, addressed to Mr. Davis; I seem to have got a copy of it.

Mr. Cunningham: What church is that?

Mr. Foulds: The United Church, as a matter of fact. "I am deeply concerned about the present legislation before the House, namely Bill 171, The Funeral Services Act, 1976. I am not opposed to funeral directors. They fulfil a necessary function in our society but I believe that no one has the right to require me to use a funeral director for the burial of a loved one"—

Mr. Ruston: That's not in order at all.

Mr. Foulds: Would you mind waiting until the man finishes his sentence, for crying out loud?

Interjections.

Mr. Foulds: Just because you can't finish a sentence, just understand that some people in this society can.

Mr. Drea: You're so dumb you can't find the—

Mr. Acting Speaker: Order, please.

Mr. Drea: You are some attribute to the teaching profession, I tell you.

Mr. Foulds: You are some attribute to the protection of consumers in this province, let me tell you.

Mr. Eaton: He sure is. That is why they elected him.

Mr. Mackenzie: That comment shows where the dumbness is.

An hon. member: Read it in Hansard, Frank.

Mr. Foulds: "I am not opposed to funeral directors. They fulfil a necessary function in our society. But I believe that no one has the right to require me to use a funeral director for the burial of a loved one if the person being buried and I both believe that the \$500 paid can be used for such things as the development of the Third World."

Mr. Ruston: That's not this amendment; you are not speaking to the amendment at all.

Mr. Foulds: I want to point out to you that nothing in the amendment we are proposing is opposed to funeral directors. They still have representation on the board. I want to make that perfectly clear. What our amendment does is advocate those interests of the consumer.

Mr. Breithaupt: As you see them.

Mr. Foulds: And as the consumer sees them.

Mr. Breithaupt: Only some.

Mr. Norton: Talk to the memorial societies that I have talked to.

Mr. Angus: We wanted to give them time to talk to us, but you wouldn't allow that.

Mr. Foulds: Finally, a letter from Laura W. Stranges: "Honourable Sir:

"As a member of the Memorial Society of Thunder Bay, I have just been informed that the above-mentioned bill, Bill 171, will be coming up for second reading shortly. I have been given to understand that this bill is recommending a board composed of five funeral directors and two lay people, along with the further recommendation to prohibit any persons other than funeral directors from offering advice on funerals. I wish to make it known that I oppose the above recommendations very strongly."

Those are only a small selection of the letters that many of us have received. And I wish other members of the House had not harangued me so much simply for taking excerpts from five sample letters, because I think these people in the province have a legitimate case to make about the make-up of this board. I think our amendment meets that concern and we will be supporting that—I personally will be supporting that amendment—with every amount of legislative strength that we have. We wish that we could persuade one of the other two parties in this House also to take the interests of consumers to heart.

Mr. B. Newman: Mr. Chairman, the previous speaker assumes that under clause (b) the individuals appointed by the Lieutenant Governor in Council are not going to be consumers.

Mr. Foulds: No, we just want—

Mr. B. Newman: They are going to be consumers; the consumers definitely are going to have a say in there.

Mr. Eaton: Everybody will be a consumer some time.

Hon. J. R. Smith: We all die one day.

Mr. B. Newman: They may not necessarily be from the Consumers' Association, but they are still going to be consumers. In fact, some of the funeral directors who are involved may also be members of a consumers' association, but they are consumers.

Mr. Foulds: Funeral directors—

Mr. B. Newman: We are speaking to section 2(2)(a), Mr. Chairman. Like the other members who have spoken previous to me, I too have received telegrams concerning this bill. I received 50 telegrams, but only one opposed the passage of this bill—and that one was from the memorial society; the other 49 asked for the passage of the bill.

Mr. Davidson: Who sent you those?

Mr. Foulds: How many signatures?

Mr. Angus: What organizations do they represent?

Mr. B. Newman: I don't intend to read any of the telegrams I have received from consumers in my own constituency—

Mr. Breithaupt: How many did these represent?

Mr. B. Newman: —but you can see that not one of them has complained.

Mr. Cunningham: I think you are dead on this one.

Mr. B. Newman: The member for Scarborough Centre, having spent years on the Action Line column in the Toronto Telegram, is certainly speaking from experience. In my years as a member of the Legislature I have not received a single complaint from anyone concerning funeral services—

Mr. Foulds: How many multiple complaints?

Mr. B. Newman: —in the city of Windsor, the behaviour of any of the individuals who run the establishments or the prices they may have charged. Not a single individual has complained to me—and I have spent a few years in this House. I would suggest to my colleagues on the right that they reconsider their position—

[5:15]

Interjection.

Mr. B. Newman: —and when we amend the next subsection that they join with us so that the consumers they are interested in—and we are all interested in the consumers—will have that additional voice.

Mr. Foulds: Why don't you support us on this one and we will support you on yours?

Mr. Breithaupt: Because you are wrong and we are right.

Mr. Eaton: I want to rise in opposition to this amendment. I simply point out I can't understand how a party in this House in Ontario would come here demanding that the Consumers' Association of Canada be the ones to name the representatives when we have a consumers' association in Ontario. I cannot understand the reasoning on that at all.

Mr. Foulds: It's an affiliated body.

Mr. Eaton: I also want to point out the inconsistency of this party across the way saying it wants that kind of representation on it. I think it was the member for Sudbury who went through a whole gamut of things just two weeks ago in this House when they were on exactly the opposite side of the position, saying they wanted nine members of credit unions on the credit unions insurance association. There is complete inconsistency in your party and the kind of things you bring in here.

Mr. Angus: You might own the credit unions. You don't own the funeral homes.

Mr. Eaton: I think we should oppose this bill.

Mr. Norton: They sure like to ignore the consumer, too, when it comes to their own—

Mr. Davidson: We don't get the padding you do.

Mr. Acting Chairman: Order.

Mr. Bounsall: I want to go clearly on record as supporting our amendment to this bill. I say that as a representative from one

of the ridings in Windsor I have had people call me complaining about and very upset about the price they are being required to pay for funerals. They are not complaining about the treatment they have been given by an individual funeral director per se, but about the price they must pay to get even a fairly simple funeral.

They also complain about the difficulty they encounter in some instances in receiving information about the particular breakdown of services which might be available. In other cases there is surprise at the final bill which pertains when they thought they had understood something different. Unfortunately, in most cases it was an indication of thinking one thing when the actuality was something else.

I have had not too many letters on this but a succession of telegrams. I have some from funeral directors certainly supporting the quick passage of the bill. The intent of most of the telegrams I have had was that these persons, memorial societies and various consumer groups should have a chance for real input on this bill, and that legislators should have an opportunity to hear the real valid concerns which they have about funeral services in this province.

My particular thoughts on this section of the bill and the composition of the board most clearly point this up. The Funeral Services Act, this one and the forerunner of this Act, The Embalmers and Funeral Directors Act, have found their way into the wrong ministry. This really has nothing to do with health in this province and in no logical way does The Funeral Services Act or its predecessor rest at all well with the Health ministry.

Mr. Eaton: What has that got to do with the amendment?

Where Acts of this sort should be is in the Ministry of Consumer and Commercial Relations; any sort of ministry which deals with consumers' affairs.

Mr. Mackenzie: What's bothering you?

Mr. Bounsall: The bill coming through should be a consumer bill geared to the recognition of consumer rights and their protection in dealing with a very valid and necessary group of business persons in this province. It should be a bill which represents the consumers in this province. Therefore we feel very strongly that the board should be composed of a majority of consumers in this province. We are all, at one time in our lives, inevitably a consumer of a funeral service. None of us has achieved immortality yet.

Mr. Breithaupt: Not during our lifetime.

Mr. R. S. Smith: I hope not during my lifetime.

Mr. Bounsall: By consumer I mean someone who is concerned about consumer protection. A funeral director on a board regulating funeral directors is not, by definition, a valid consumer protector type person in that role. We certainly want these roles reversed. I can see no—

Mr. Norton: What about teachers on the board of the OSSTF?

Mr. Bounsall: It's not a self-governing body.

Mr. Foulds: They don't establish their own criteria.

Mr. Moffatt: He was a teacher at one time, too, and he knows.

Mr. Foulds: Certainly, and I still am.

Mr. Bounsall: As the member for Port Arthur and other members of our caucus are pointing out, teachers are not a self-governing body and they do not license themselves. This has not been a position supported by our party.

The problem with this bill, having come from the Ministry of Health, is that all they have done is create a bill similar to the other sections of The Health Disciplines Act, relating to the five other health disciplines they've set out. It simply is not a bill appropriate to deal with funeral directors in this province, in my opinion. We need a completely different kind of bill.

On that board it would be most appropriate that there be some funeral directors on the board. We proposed two and we're easy on whether there should be another one—three for that matter. If the parliamentary assistant wishes to come and say "Why two? Let's make it three," we're not necessarily wedded to two as long as the clear majority on that board are not funeral directors but people who will represent the consumer interest of the people in the province of Ontario.

It's been asked why did we put in the amendment naming the Consumers' Association of Canada? That is the official name of the major consumer group in Canada of which there is an Ontario division. The Ontario people are simply part of the larger group and it's from that Ontario division the consumers should be nominated for this particular position.

Mr. Acting Chairman: Does the parliamentary assistant wish to make some comments?

Mr. Wiseman: Yes. I'd just like to say to the member for Sudbury with regard to the comments he made that he should make those in writing to the registrar and let them check them out. I feel, even with the board the way it is now, those complaints could be looked after by the board and in a good manner.

A lot has been said on this amendment. We can't accept the amendment as presented by the member for Durham East. I feel that it's just not proper to figure on five lay people and two funeral directors. I believe if the hon. members who have talked this afternoon studied the bill they'll see that there is a lot of protection in there. As I mentioned, there are four committees in there and one lay person sits on two committees. The member for Waterloo North mentioned the percentages the other night and this is one of the highest percentages of lay people in the health disciplines.

I feel too that if they looked at the review committee they would see it's all made up of lay people. There are not less than three and not more than seven. Then there is the fact that both the review committee and the board make reports to the minister that will end up in the Legislature and be tabled. One is being presented by the board with the lay people on it; the other is being presented by all lay people. If there are some faults found in the bill later on, they'll be tabled here and surely we'll be able to correct them at a later date. We can't accept this amendment.

Mr. Acting Chairman: The member for Durham East gave the floor to the parliamentary assistant. The member for Durham East may continue.

Mr. Moffatt: In support of the amendment, what I think is happening here this afternoon is exactly the kind of thing that we are trying to avoid. If the member for Scarborough Centre is so convinced that this legislation is good, and it may well be, then why was the government so reluctant to see this legislation have real public input over a period of time, so that if there were difficulties, as there may have been, as alluded to by the parliamentary assistant, we could have corrected those situations? The people for whom my colleague from Sudbury was speaking would have had a chance to have input into this. There would have been general acceptance of the legislation across the province if it had been found worth supporting.

The problem is that you pushed the thing through. You brought it in on November 26. There is no comparison, let me tell the member for Middlesex, between this legislation and the credit unions legislation. The credit unions legislation affects only those people who are inside the credit unions; this affects the general public. If you don't know the difference you should have sat down.

Interjections.

Mr. Moffatt: What really disturbs me is that that kind of fatuous comment leads to the kind of confrontation that has one group—the people in memorial societies—out now battling with the people who are members of the profession of funeral directors. If the comment was not fatuous, Mr. Chairman, I withdraw that. It certainly sounded that way to me.

Mr. Foulds: It certainly was.

Mr. Moffatt: What does bother me is that all of a sudden a situation which could have been dealt with in an appropriate fashion and on which there could have been good co-operation, because of the precipitous manner in which this legislation is being dealt with we find this sort of confrontation where people are writing in opposing all of the bill because of a clause or two.

I ask you, Mr. Chairman, if that makes sense. In this day and age, why do we have to push legislation through in order that somebody will be able to say, "Hah, I've completed my work for another six weeks," or something? That doesn't make any sense at all.

I urge the members to support this amendment. If there is any real sense in this province of the public ever having some input into consumer affairs, this is one place we can start.

Mr. Ruston: Mr. Chairman, very briefly, there's been enough said with regard to this amendment. I want to go on record as being opposed to it, I don't think the bill has actually been rushed through as quickly as some bills have. This was November 26, and if I remember, I think today is about December 15. So that is about 20 days.

I just can't see the amendment as proposed by the member for Durham East in any way. I think that, sure, we want some people representing the general public on all these governing bodies, and that's the procedure we've been heading for for the last number of years. Our party has been very strong on that, that more members of the general public

be put on them to see that the public is represented. Goodness knows, we need more, when we see what is happening even in our own medical field, which we read about from the auditor's report and so forth, and in other organizations that have been in the past number of years—

Mr. Foulds: Ah, you are going to support us. Keep talking.

Mr. Ruston: —by themselves, but only in the last few years have had some public input into them. Certainly we need some public input, but we also have to have people on there who know what they are doing. So I want to go on record as being opposed to this amendment.

Mr. Wiseman: Mr. Chairman, I wasn't going to say anything more on this amendment, but I think the member for Durham East left the impression that there hadn't been input into this bill from the memorial societies and from other interested groups. I can tell him and go on the record that the minister has seen the memorial societies over the last year. This bill has been in a draft form since I went with the Ministry of Health over a year ago. It's been well discussed but it's changed very little since the original draft. I have seen a good many groups that have come in to see me and I've spoken to a good many on the phone. To stand up here and say there's been no input and that we rushed things through like this—It even goes back further than a year ago; I understand the talk about a new bill goes back even more years—

Mr. Good: Five years ago.

Mr. Wiseman: —four or five years. I think it is wrong for anybody to give the impression that people and the public haven't had input into this bill.

Mr. Kennedy: Mr. Chairman, I was just going to comment along the lines that the parliamentary assistant has, that this bill has been a long time in the making. There has been ample opportunity for input and discussion of it. For the member for Durham East to suggest that it was patched up on November 27 and rushed through the House—

Mr. Foulds: The 26th.

Mr. Kennedy: Okay; we are talking five years, so what's five days? It just isn't accurate and the House should be well aware of this.

[5:30]

The other thing is, the member for Durham East said that if there had been more time we wouldn't have had this rash of correspondence and telegrams in opposition to it. I just want it on the record that my communications from people have been just the opposite; the ratio of about one to 10 in favour is the way they came into my office in support of the bill as it stands.

Mr. Davidson: Where do they come from?

Mr. Kennedy: They said, "It's a good bill as it stands; it has been dealt with thoroughly over a long period of time; put it through." I reject the amendment.

Mr. Bounsall: I'd like to reply to the point which the parliamentary assistant, the member for Lanark, has just made. The fact that he joined the ministry a year ago and realized there was something in draft form does not mean that any of the consuming public saw any of those drafts or had any input on those drafts or any intimation of what that draft would be until after it was tabled in this House on November 26.

Mr. Eaton: He said they did. Why don't you listen?

Mr. Bounsall: Did I misunderstand the parliamentary assistant on that point?

Mr. Wiseman: I think you did. I think you only heard part. I said the minister met with the memorial societies, and he met with other interested groups, as did I. As well as that, I didn't mention it when I was on my feet before, but I mentioned it the other night, the chairman of the board of the funeral directors' association mentioned it at their annual meeting, which got good coverage, in November of this year. They also had regional meetings out in the area; I know the one in my own area was well publicized and well attended.

I feel sure that people knew, although there are some that don't avail themselves of this information; they don't go to annual meetings and this sort of thing. But there were good representations to the minister and good representations to me; it wasn't rushed right through as some members would have us believe.

Mr. Bounsall: Let me respond to that point. There was some contact with the ministry post-October 1973 by the memorial societies when they presented a proposal for legislative reforms. There have been some—there may have been a couple of short meetings—

Mr. Good: This has no bearing on the amendment.

Mr. Bounsall: —with various ministry officials at which there was no clear indication of the type and detail of what legislation was coming forward. When that legislation comes forward and you have it at hand, that is the time at which you look at the legislation and then have an opportunity to influence legislators. We're talking about the opportunity you have, with a piece of proposed government legislation actually in hand, to discuss that proposed legislation and to indicate where it is deficient.

Mr. Good: This has nothing to do with the amendment. It is all out of order.

Mr. Bounsall: That is what we are talking about, Mr. Chairman. On this point, may I point out to the parliamentary assistant that when the other health disciplines Acts were being discussed in this province, I believe 11 weeks was spent outside the House, in committee—11 weeks which dealt with five health disciplines Acts, which means slightly over two weeks in committee, with the public addressing it, for health discipline bills.

Here we have a bill on the funeral industry, related to the other health discipline bills, and we bring it in at a time when there will be absolutely no opportunity for any of the public to have any input in committee outside the House to this legislation. We're saying there is no need to rush this legislation. It doesn't matter whether we have it now or whether we have it next March or next May—

An hon. member: Order.

Mr. Bounsall: It could have been introduced in the next session to allow this bill to go to standing committee so that there could be a week or two, whatever it takes—I would suggest no more than a week would be necessary—for the public, the memorial societies and the various consumer groups to appear before the members of this Legislature and indicate what, in my opinion, are their very valid concerns as they have expressed them to me.

Mr. Chairman: I would like to point out to the committee that the last part of this discussion was certainly out of order in connection with the amendment. I heard a number of times the members of the committee calling for the question. If the member for Port Arthur wishes to continue on the amendment, I'll ask the member for Port Arthur to continue.

Mr. Foulds: I just have two very quick comments resulting from the parliamentary assistant's comments. He indicated that there had been consultation with a wide range of consumer groups, but he also indicated that the bill had changed very little in its draft form.

Mr. Good: It is out of order. It is not in the amendment at all.

Mr. Foulds: I have a specific question, if you wouldn't mind keeping your mouth shut for a minute. I have a specific question, if you don't mind.

Mr. B. Newman: It is out of order.

Mr. Foulds: How the hell do you know whether it's out of order or not until you've heard my question, you nitwit?

Interjections.

Mr. Foulds: The specific question that I would like to ask the parliamentary assistant is whether section 2(2) has been changed—

Mr. B. Newman: Mr. Chairman, on a point of personal privilege.

Mr. Chairman: Point of personal privilege.

POINT OF PRIVILEGE

Mr. B. Newman: Mr. Chairman, I don't consider the member who just called me a nitwit a nitwit at all, I think he's a gentleman.

Mr. Chairman: It is a point well taken.

Mr. Foulds: Mr. Chairman, on that point I withdraw that particular remark. I think I was only half right.

Mr. Wiseman: I hope the member doesn't use that language in school.

Mr. B. Newman: Mr. Chairman, on a point of personal privilege, I object to the remark the gentleman just made.

Mr. Chairman: I think it is unparliamentary.

Mr. Foulds: I will withdraw the remark, Mr. Chairman.

The specific question that I would like to ask the parliamentary assistant is whether this section, as it is presented in the bill, has changed in the draft form since the ministry has had it, and whether or not the ministry started out with a larger representation from the consumers and the representation by the

funeral directors was such that they had to increase the number of funeral directors on the board. I'd like a straight answer to that question, if he knows.

Mr. Chairman: Any further comment on the amendment by Mr. Moffatt to 2(2)?

Mr. Foulds: Is there any answer?

Mr. Chairman: He doesn't have to if he doesn't want to.

Mr. Foulds: I just want the record to show that there was no answer to that question.

Mr. Chairman: Are you ready for the question?

All those in favour of Mr. Moffatt's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Vote stacked.

Mr. Chairman: It is my understanding that the hon. member for Waterloo North has an amendment.

Mr. Good: I have an amendment to section 2(2)(b).

Mr. Chairman: Mr. Good moves that section 2(2)(b) of the bill be amended by striking out the word "two" in the third line and substituting therefor the word "three."

Mr. Good: Briefly, there are two major points regarding this amendment. First of all, the inclusion of three persons not licensed under the Act on the board would mean that there is a larger percentage of non-licensed persons or representatives of the public on this particular board than on any other governing board of any other particular group in the province. There is severe criticism by the memorial societies of this particular section of the Act. And let's make no mistake about it, the NDP's arguments are all related to the wishes of the memorial societies in this province because they have not come up with specific complaints against individual funeral directors.

The addition of another lay person or a member of the public on the board would allow, in my view, a representative of the non-licensed persons on each of the major committees. There are four committees in the bill but I think the licensing committee, the complaints committee and the discipline committee are the three committees that would be best served by having individual and different representatives of the public on them. The Act says they must be different

persons on the complaints committee and on the discipline committee, but by adding another public representative you could have a different person on the licence committee as well, which is a rather onerous load, I believe, on the licence committee.

I would ask the ministry to accept this amendment and, I hope, have the support of the NDP.

Mr. Wiseman: Mr. Chairman, perhaps it would help the other members if they realized that we would be prepared to accept that amendment.

Mr. Angus: Mr. Chairman, I would like to move an amendment to Mr. Good's amendment, if I may. I would like to move an amendment that would change the word "three" to the word "five."

Mr. Chairman: That, in effect, would have the same effect as the one that was just stacked.

Mr. Angus: No, Mr. Chairman. If I may, the one that was just stacked would reverse the numbers so that there would have been five consumers and two funeral directors. This amendment, if accepted or passed in this House, would make them five and five.

Mr. Chairman: That was the effect of the amendment by Mr. Moffatt.

Mr. Angus: No, Mr. Chairman, it was not. The amendment by Mr. Moffatt would provide for, in clause (a) two funeral directors, and in clause (b) five persons who are not licensees under this Act.

Mr. Chairman: I'll accept that amendment. Do you have it in writing?

Mr. Good: Can I speak to that one?

Mr. Chairman: It is not properly before the committee until—

Mr. Good: I think it is out of order, Mr. Chairman. We just ruled out an amendment which was going to put five members of the public on the board and now they are trying to introduce the same amendment again.

Mr. Foulds: Except that you passed the amendment that is the same.

Mr. Good: No, it isn't. Their first amendment that was stacked was going to put, under clause (b), five persons who are not licensed under the Act, and their amendment to my amendment would do exactly the same thing as the vote that is passed.

Mr. Foulds: No, it wouldn't.

Mr. Angus: Mr. Chairman, may I speak to that?

Mr. Chairman: Yes, you may.

Mr. Angus: I would just like to point out that the original premise in Mr. Moffatt's motion was to reverse the number of members to give the consumers a majority on that committee. This amendment of mine to Mr. Good's amendment will make them equal partners.

Mr. Good: Read Mr. Moffatt's amendment. It said, "by deleting in the first line—"

Mr. Chairman: As I understand Mr. Moffatt's amendment it was to delete "two" and insert "five." That was stacked. The effect of Mr. Good's amendment is to increase it from two to three and the amendment proposed by the member for Fort William would have the same effect as the other one that was just stacked, changing it from three to five. In effect, you are trying to do through the back door what you couldn't do through the front door.

Mr. Foulds: Is it successful?

Mr. Angus: Mr. Chairman, the motion is coming down.

Mr. Eaton: Are we supposed to be finished tonight?

Mr. Foulds: Do you want to move a motion of closure? Do you want to move closure?

Mr. Chairman: Order. As I read it, the amendment to the amendment would have the same effect as the motion by Mr. Moffatt that is already stacked and I am going to declare the amendment to the amendment out of order.

Mr. Foulds: Mr. Chairman, if I might then speak to the original amendment of Mr. Good, we will support it because it does increase the consumer representation even though it doesn't achieve as much as we would like to see. We will support it because it improves marginally the representation of the consumers.

Mr. Chairman: Shall Mr. Good's amendment carry?

Motion agreed to.

Sections 3 and 4 agreed to.

On section 5:

Mr. B. Newman: Section 5(1).

Mr. Chairman: Is it an amendment?

Mr. B. Newman: No, I just want to make some comments on it so that the minister can clarify 5(1).

[5:45]

Mr. Chairman: You have the floor.

Mr. B. Newman: During second reading of the bill I made certain comments concerning 5(1) and I would like to express them once again to the hon. member so that he could allay the fears and anxieties of many in the industry as to their responsibilities and the fact that they do perform certain functions and services so that they may not be in contravention of the Act.

One of the comments mentioned to me is that an unlicensed funeral director or an unlicensed individual working for a funeral director, answering the telephone, would not actually be able to converse with the caller who wishes to have preparations made for services. Also under this Act, an individual assisting a funeral director at the graveside would not be able to give directions to the public or anything. It would require a licensed funeral director to perform all the services required during the course of taking care of a funeral.

There are others on which the member can reply to me. He knows what I mentioned earlier. If he would reply for the sake of expediting the bill, I would prefer to hear him now.

Mr. Chairman: Mr. Moffatt moves that subsection 1 of section 5 of the bill be amended by deleting the words "or directing the providing of" in the second line.

Mr. Wiseman: We would be prepared to accept that motion of the member for Durham East.

I think, if I could say while I'm on my feet, this would help to clear up the problem the member for Windsor-Walkerville has in regard to what the lay person can do and the funeral directors' jobs. I have them briefly outlined here for him. As I see it and as I'm told, the duties of the lay person may be to go on removals; answer the telephone or be in the funeral home to take first call information; assist at the door of the funeral home; set up flowers; drive a motor vehicle at funerals. He can't make funeral arrangements, perform embalming or conduct funerals.

Mr. B. Newman: If I may, would the lay person be allowed to inform the press—to submit the death notices to the press over the

telephone, especially when there is a deadline and the licensed funeral director is not around the establishment at the time? The deadline quite often is quite early in the morning and the funeral director may not be there, especially if there are no services for him to perform?

Motion agreed to.

Mr. Chairman: Mr. Moffatt moves that subsection (b)—

Mr. Moffatt: Mr. Chairman, subsection (b) should not be in there. It should just read “by deleting the words ‘for funeral supplies or both’.”

Mr. Chairman: It is very difficult for the Chair if the amendments don't come before the committee in their proper form. Mr. Moffatt moves that section 5(1) be amended by deleting “or funeral supplies or both” in the third line.

Mr. Moffatt: My reason for moving the amendment is for the benefit of people in remote areas where the services have been not provided by funeral directors in all cases. In some cases memorial societies have involved themselves in purchasing low-cost materials so that the people in those areas could take advantage of low-cost materials. This would provide for those people so to do.

If I may add, I apologize for the amendment being put in writing. I had it printed but on another page with the first part which, you advised me, would not be acceptable as two amendments so I rewrote it.

Mr. Good: I don't think this amendment is actually needed for remote areas because there are no licensing requirements in remote areas. That is covered in another section of the bill.

The amendment would certainly change the whole concept of the regulations of the Act and the policing of the whole funeral service. The idea, of course, is that no one may hold himself out as a funeral director and providing both services and materials is part of that. We could not support this part of the amendment for that reason.

I feel there is ample provision now. If people want to care for their own dead, there is no law against it. You can build your own casket if you so desire and look after members of your family as long as you are not holding yourself out as doing that on a continual basis for other people. This would distort the whole line of the Act and we could not support this particular amendment.

Mr. Wiseman: Mr. Chairman, I think the member for Waterloo put it well. We couldn't support this amendment.

Mr. Bounsall: I think this is another key amendment because there are instances, not in remote areas but in built up areas, of problems, as far as I know, in the cities of Thunder Bay and Kingston, in finding the low-cost materials or low-cost supplies made available by undertakers in those communities. In both those communities there is a need for that type of supply, which is not available through the funeral directors, to be supplied by other people.

I, for one, can't see anything wrong—and I hope the parliamentary assistant would take this fully into account—in a particular carpenter, for example, in the winter months when he is not working, putting together for sale to whoever wants to buy from him directly, the seven-eighths inch pine cremation box, which is what's required under The Cemeteries Act, at whatever price he wishes to ask. If that type of box is not available through the funeral directors in his locality—and it need not be a remote locality for this to occur—I cannot see why that person should be enjoined from selling that particular kind of supply.

We have the two instances of Thunder Bay and Kingston where it is difficult to get some of the low-cost supplies which are available through funeral directors in other parts of the province, I cannot see why that supply cannot be provided by another group or another person in that community. I use as a simple example someone who decides to build a cremation box which meets the criteria of The Cemeteries Act for sale to whomever wishes to purchase it.

We are talking to the member for Lanark of supplies; we are not talking about any other form of service. We are not talking about embalming, we are simply talking about supplies which aren't being given in the community now but which could be given and which meet any requirements of any other Acts in the province. It can be for that matter, since funeral services and funeral establishments are a competitive business, the provision of those at a lower cost than what might be available collectively from all of the funeral service establishments in the locality.

Mr. Foulds: I just want to speak to the principle embodied in our amendment. I really don't understand what this government and what the Liberal Party have against free enterprise in the supplying of funeral sup-

plies. I notice there is no definition of funeral supplies in the Act and I see no reason in the world, as a matter of principle, given your cast of thought, why funeral directors should be the sole people to supply funeral supplies. As my colleague says, we are not talking about services, we are simply talking about supplies. A plumber is not the only one who can sell you a toilet. You can get that at the hardware store if you want. A doctor is not the only one who can sell you a bandage. You can buy that at the drug store. Why should not the same principle apply in funeral supplies? I know there is a whole aura of sanctity about them, but is there any public health or safety factor involved?

Mr. Germa: Monopoly.

Mr. Foulds: That is exactly what it is. You are giving the funeral director in this case a very direct monopoly of supplies.

Mr. Angus: That's how you believe in free enterprise—protect your own.

Mr. Chairman. All those in favour of Mr. Moffatt's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion, the "nays" have it.

Vote stacked.

On section 5:

Mr. Chairman: Mr. Moffatt moves that section 5 of the bill be amended as follows:

In subsection 4, one, by adding "or" at the end of clause (a) and by deleting "or" at the end of clause (b) and, two, by deleting clause (c) and by adding to the section the following subsection 6: "Subsections 1 and 2 does not apply in a sparsely settled area where a funeral director is not available."

Mr. Moffatt: Mr. Chairman, there is a grammatical error in there now. That "does" should be "do." Quite simply, our concern here is that the items specified in the first part include embalming and we feel that that practice should not be engaged in by a person who has not at least had some modicum of training.

On motion by Hon. Mr. Handleman, the committee of the whole House reported certain resolutions and asked for leave to sit again.

Hon. Mr. Handleman: Mr. Speaker, before moving the adjournment of the House, I would just like to inform the members that we propose to continue tomorrow after question period in committee of the whole to deal with the continuation of Bill 171, Bill 135 and Bill 187, and to go into second reading of Bill 176, to conduct the debate on the select committee on the Camp commission report and to wind up tomorrow evening with the budget debate.

On motion by Hon. Mr. Handleman, the House adjourned at 6 p.m.

APPENDIX A

Standing Resources Development Committee

WEDNESDAY, DECEMBER 15, 1976

The committee met at 10 a.m.

WORKMEN'S COMPENSATION BOARD (continued)

Mr. Godfrey: There are some general remarks I would like to make, but I have a few questions I would like to pose first, so we could be sort of working on the answers while we are talking in general.

You referred yesterday to 33,000 active claims. I am not too sure of the definition of "active" and what I am trying to get is, how many of those are sort of chronic claims and how many of them are short-turnover claims? I presume it takes you maybe 10 days to process a simple claim; could you give me some sort of an estimate of that? Then on the 33,000 claims, I would like to know how many are under appeal; that's either the first appeal, or I believe there's a second appeal mechanism as well—just to give me a perspective of the workload that's carried.

I would also like to know the average time for settling a claim, and I believe this can be broken down into clean and dirty claims. I break it down into simple claims and complicated claims; there is a third complex claim, but I'll accept your definition to give me an idea of how this 33,000 sits on top.

Then I would like to know the average time for settling whatever your group of claims is. You can give me the average time for settling simple claims and the average time for settling non-simple claims. Then, if you please—and I realize that you have an expert organization at your fingertips, Madam Minister, and I congratulate you on the quality of your staff—I would also like to know the median time it takes to bring your claims to a close.

I would start by congratulating the board, particularly in view of the release from Dr. McCracken last week whereby it's pointed out that physicians are to take note of occupational factors when diagnosing diseases and to report cases where occupational factors may be significant to the Workmen's Compensation Board. I think this is a real step forward and I am sure we have all been working toward this. The NDP doesn't claim 100 per cent of the credit for that but I think that all of us must take a small amount of credit.

I am a little curious, though, as to how this is to be done. Is there going to be a formal mechanism for reporting that sort of thing? As you know, with an injury-induced disease there is a formal statement of activity. Could you explain to me how this is going to be phased into assessing whether this workman is entitled to disability? That's a general question.

Mr. Starr: Mr. Kerr could answer the first grouping. Yesterday Mr. Kerr did answer the majority of the questions you posed today. Unfortunately I don't think you were here, but I think he is prepared to repeat that for your benefit.

Mr. Godfrey: Well if it's in the Instant Hansard, just give me a copy of that and I will get it from that.

Mr. Starr: It may not be complete. You may have a question there that was never answered, so I think possibly if we would just go over it now—

Mr. Kerr: Yes, I would be happy to; and you are quite right, there are a few other details the doctor asked about which we can include.

I mentioned there are 33,000 active claims at any one time and this is broken down into—first of all, perhaps I should explain to you that we have the primary adjudication claims section, which handles the claims that can be handled very quickly without a great deal of inquiry; they take care of the case until it becomes 13 weeks old and if the length of disability exceeds that period of time then it goes to the extended disability compensation section.

The extended disability compensation section has two functions. They handle the cases that are ongoing beyond the time limit that I gave you; and they are also responsible for carrying out the initial inquiries in claims that are complicated in so far as the allowance is concerned, where inquiry is required.

So breaking down this 33,000, we have 7,000 approximately—I have rounded these off—in the primary adjudication claims section; in the extended disability compensation section, 23,000; and then we have 2,000-plus—each one of these are plus, I have taken it to the lowest thousand—2,000-plus which would include claims that are in our pensions

and fatal and industrial disease sections, such as silicosis cases and other types of claims that are under active treatment, under consideration. So an active claim, in our view, is one that has not as yet been adjudicated for allowance in the initial stage; and those that have been adjudicated for allowance and are under payment, or are still active until the pension is awarded if the man is entitled to a permanent disability award.

I also mentioned yesterday the time required in these uncomplicated claims for adjudication purposes—although it could be a serious injury, from the point of view of “is it within the terms of the Act?” it’s relatively simple—84.6 per cent of the initial payments are made within three days of the date the employer’s report of accident is received and 97.6 per cent are made within four days of the date the employer’s accident report is received and in those cases the employer’s accident is the first notification we have of the injury.

Mr. Godfrey: Excuse me, may I interrupt? Within three days; supposing you get the employer’s accident report on Friday?

Mr. Kerr: I am talking about three working days, sir.

Mr. Godfrey: Thank you.

Mr. Kerr: Then we have what we call the complicated claims, from the point of view of adjudication, where the accident may have been reported by the employer in the initial instance or it may have been reported by the doctor in the initial instance. The first time we hear of it we make the necessary inquiries and in those cases the initial payment is made, in 54 per cent of these complicated claims, within 10 working days from the date we are notified of the accident; then it’s 82.8 per cent within 20 working days from the time we are notified of the accident and 85 per cent within 30 days of the date we receive notification of the accident.

Mr. Godfrey: Just let me clarify that: Then there’s some 28 per cent who are held up for at least 20 days, the difference between your 54 and 82 per cent?

[10:15]

Mr. Kerr: This is the overall figure. Everything is processed with the 82.8 per cent, the initial payment goes out within 20 days.

Mr. Godfrey: All right. But if 54 per cent go out in 10 days, then there is a sizable

percentage that doesn’t go out for 20 days, something like 28 per cent.

Mr. Kerr: Yes, the difference between 54 and 82 per cent, you are right.

Mr. Godfrey: Thank you; and that would be explained by?

Mr. Kerr: It’s because of the nature of inquiries that have to be made and how long it takes for the information to be obtained to make the decision.

Mr. Godfrey: And in the meantime there is no money coming in to the workman?

Mr. Kerr: That’s true, because we have not been able to establish at that point in time that his claim is under The Workmen’s Compensation Act.

Mr. Godfrey: So that a workman who may not have any resources is pretty badly strapped in 20 days. He can manage for a week, but three weeks gets pretty heavy at times.

Mr. Kerr: That’s quite possible, depending on his financial circumstances.

Mr. Godfrey: And then on the extended initial assessment inquiry completed, you had some 2,000?

Mr. Kerr: They are active claims. You were talking about the active claims. Now you are switching back to how many active claims we have.

Mr. Godfrey: I believe you mentioned that you had 7,000 primary adjudications, 23,000 extended—

Mr. Kerr: That’s right.

Mr. Godfrey: —in one section, and then there were another 2,000.

Mr. Kerr: That’s 2,000 in other areas dealing with things such as claims for widows, death claims, claims for industrial diseases. They are handled in a special section called the permanent disability, fatal and industrial disease claims section. They are handled by a special group. They are not in with the rest of them. That’s why they are segregated.

Mr. Godfrey: And what is the time factor there?

Mr. Kerr: I have no figures on that.

Mr. Godfrey: But you have an estimate?

Mr. Kerr: One could expect it would be much longer because of the nature of inquiries.

Mr. Godfrey: Where no funds would be coming in?

Mr. Kerr: That's right.

Mr. Godfrey: Would it be a year?

Mr. Kerr: We are not in a position to pay until we establish the entitlement under the Act.

Mr. Godfrey: The thrust of the questioning, Mr. Chairman and Madam Minister, is that you are badly overworked and badly understaffed. I think that is the cause of a lot of our problems that we are running into in our riding and I intend to develop that a little more as we go along. So you are not giving away any secrets when you admit you don't know how long it takes to take care of these 2,000 claims, because once again we have families who may need money and are held up for a certain amount of paperwork and investigation.

Mr. Kerr: I can tell you that fatal claims are handled immediately. Our staff watch the daily papers and listen to the news reports and when a fatal accident occurs, they're on the telephone immediately. They use our field staff and within 24 hours we send out the first cheque to that widow, even though we haven't received an official report from the employer.

Mr. Godfrey: I think that fits very well with the intention of all parties. I am sure they would agree with that.

Mr. Kerr: In a large number of these diseases, such as industrial hearing loss claims, the man is still continuing to work and it's a question of us determining his entitlement under the Act and then determining his permanent disability award for him. So in a large number of these cases, the men are still at work.

Mr. Godfrey: And the cost to service a primary adjudication?

Mr. Kerr: I haven't broken that down. I don't have the figures here.

Mr. Godfrey: The cost to service an extended one? Has that been broken down?

Mr. Kerr: Oh yes, we have cost figures on our budget for each section of the division.

Mr. Godfrey: Would that constitute a large sum? Would it be a sizable percentage of your operating costs?

Mr. Kerr: The operation of the claims adjudication branch, which includes all of these things, is a fair size of our cost.

Mr. Godfrey: Can you give me a percentage of what it would cost to take care of the primary ones which are settled in very short time, the 84 per cent within three days?

Mr. Kerr: Let's see what I have with me on this. I haven't brought the breakdown with me, but I can tell you how much it cost in 1976, this year, for the administration of the claims adjudication branch. It was approximately \$5.9 million, and this includes all of the adjudicative function within the claims adjudication branch.

Mr. Godfrey: I won't press you on that but—

Mr. Kerr: It is available, I just don't have it with me.

Mr. Godfrey: It is available. Could I ask for that figure then; and to be perfectly clear, I would like to have an idea of the cost to assess the primary adjudication—that is the 84.6 per cent settled within three days who are obviously quite minor. Then I presume the remainder would deal with the other things.

Mr. Kerr: The injuries aren't minor, sir, but the adjudication is relatively simple.

Mr. Godfrey: I agree. I think that was all the specific questions I had in this area, but I also asked what mechanism has been set up so that the physicians may take advantage of this newest and happiest decision that has been made by the board. How do you assess the occupational factors when diagnosing disease as laid down in your press release? What is the mechanism there?

Dr. McCracken: First of all, in reference to the letter which I sent to—I believe it was approximately 16,000 registered physicians; some of them outside the province, but we had no control mechanism to take their names out of the list—in the letter I made it quite clear where I said, "Finally, should you feel that there is a possible causal relationship please advise me with identification and details."

I felt that the letter was the quickest way of getting the message to the physicians of the province that there was somebody they could identify at the board if they felt they were seeing a series of cases which they were of the opinion might be a trend relating to the occupational disease.

I appreciate that depending upon the amount of correspondence which I will get from the physicians—and so far the correspondence has not been to identify diseases except in one case—the correspondence I have received has to do with physicians writing to me telling me they are happy they have received the letter.

I have had suggestions from one of the physicians on the staff at the University of Toronto stating he is bringing the matter to the curriculum committee because he wants occupational health placed as a required part of the medical training curriculum. He feels this letter will go a long way toward establishing his point and he said he has been interested in this for some considerable period of time. I have had correspondence from other physicians from McMaster University Medical Centre stating the same interest.

Realizing we have to have some type of a follow-up mechanism, for some time now I have been looking at the official publication of organized medicine—namely, the Ontario Medical Review—as a vehicle of communications to flow to and from the board. I had already entered into discussions with the editor of the Ontario Medical Review concerning this matter and we had formalized the arrangement prior to my letter being sent out. I am hopeful that the first full page which the board will occupy in this journal will hit the January issue. It is through this vehicle mainly that I think we are going to be able to feed further information to the medical profession as to the type of details that Mr. Kerr and his staff will require, and also to identify the claims people who will be involved in the ongoing development of our assessment of industrial disease.

I didn't want to put that into the initial letter because, as you are well aware, if you get into too much detail this tends to detract from the reading of the document. But this is the vehicle I intend to use.

Mr. Godfrey: Dr. McCracken, just before you go on, what are you going to do for the physicians who don't belong to organized medicine?

Dr. McCracken: It so happens, as you probably are aware, I am the chairman of the membership committee. Currently our membership—the Ontario Medical Association membership—is running in the neighbourhood of 87 to 88 per cent. The vast majority of the people who do not belong are physicians who are retired or had membership but are no longer resident in Ontario.

Actually, the Ontario Medical Review covers the vast majority of those physicians engaged in the active practice of medicine in Ontario—not all of them but the vast majority.

As to how we get the small percentage that is left over, I would visualize that from time to time when I think the opportune moment has arrived we will again have to go to the master list which the Ontario Medical Association was kind enough to provide us with for purposes of mailing the letter and that list is kept updated by the College of Physicians and Surgeons on a quarterly basis. They feed information to the Ontario Medical Association as to the new people who are registered to practise and the people who have been taken from the roster. So that it is a fairly up-to-date list, as up to date as any large list like that can be.

Mr. Godfrey: Thank you. My initial question dealt with the mechanism for identifying it and let us give you a case example. You mentioned physicians would be alerted to a series of cases. The case I would like to present to you is a man who suffers with chronic bronchitis and emphysema and the physician suspects this may be due to some of his working in the past and he then suggests that to you. What facility do you have to draw his records or formulate some evidence that this is truly the effect of having the workman in a smoky atmosphere or what have you?

Dr. McCracken: First of all, under such a situation where the disease entity that the physician is reporting is not currently included in our list—for example, asbestos, coke ovens and so on—I would visualize that we would take the information. We would then contact the patient; ask him for further information, ask him for a signed waiver so that we would then have access to his medical records which will—

Mr. Godfrey: Which will be approximately four years long with this particular physician. My whole point is that, laudatory as this step is, I think it now requires a further step, namely an inventory of the workman's past work situation. What I'm getting around to is: Are you on the point of developing that sort of an industrial inventory as to where he has worked?

Dr. McCracken: Yes, that would be part—as a matter of fact that is done currently with a claim that is being set up; the claims division establishes an occupational history.

Mr. Godfrey: Thank you very much. Mr. Chairman, I was concerned yesterday about

the role of prevention. Possibly we had better leave that though, inasmuch as Mr. Starr is under the table.

Mr. Chairman: Mr. Starr has left the room with Mr. Mackenzie. He has good reason for being absent right at the present time.

Mr. Godfrey: I'll wait for him to come back, that's fine. Possibly I might move on to the difficulties in deciding an accident—and this is partly on what I was just talking about— or deciding what is compensable, because as you know The Workmen's Compensation Act was fairly well designed as a personal injury Act and has been expanded somewhat. But I am sometimes a little curious as to how you decide that this is a compensable injury. I give you a specific case in point: A crane operator works doing this type of operation eight hours per day and then ends up with a hand which has pathology in the carpal tunnel and he is refused compensation. On what basis would your decision be made that this activity being performed repetitively during the day is not the factor that caused him to end up with having pressure on his nerve?

Mr. A. G. MacDonald: Repetitive action is in fact, by definition, now an accident and I'll ask Mr. Kerr to deal with that.

Mr. Kerr: Yes, when we have a claim such as that, we would go into what he has been doing at work that is felt to have caused the condition.

Mr. Godfrey: I don't want to ambush you, but this has already gone through the appeal and you've turned it down.

Mr. Kerr: Well, I can't talk about the case, of course, and I have nothing to do with the appeal system, but in the claims services division, if we had such a claim, we would have it looked into to find out what he's doing at work; what is involved in his work; what are the repetitive motions; the mechanics of the motions that he must go through. We would obtain the diagnosis—the diagnosis is very important—and then we would seek the medical opinion concerning the casual relationship.

Mr. Godfrey: I'm not being rude in cutting you off but I am trying to save time in order to give other speakers a chance. This is a pat routine that we go through and this has been turned down. So obviously somewhere along the line we have another individual consideration which must be brought up at this august occasion so I can get satisfaction

for this case, because it simply doesn't work that way in my experience with the claims that I have seen. It has been turned down. So we're once again at the Christmas giving season where all things are settled at this particular time and the rest of the year I can't get that satisfaction.

How about a case of mycoplasmosis in a laboratory worker? How do you decide whether that is compensable or not?

[10:30]

Dr. McCracken: Dr. Dorothy Burton, who is our consultant in this type of industrial disease, handles all of these cases. She has developed a file which covers all cases in this category that have been dealt with by the board over the past 15-plus years. Using that as part of her point of reference, she has established pretty clear and crisp guidelines for the allowance of these cases. Once a claim is set up, and once the claims aspect has been looked into as to what occurred and when and where, these data are fed to the attention of Dr. Burton, she, in turn makes the necessary inquiry and makes her medical decision.

Mr. Godfrey: I realize that it's difficult for Dr. McCracken to speak for Dr. Burton, but suppose I pose this situation to you: That person most likely didn't get the mycoplasma in the laboratory but you've accepted the claim.

Dr. McCracken: Presumably, in this hypothetical case—

Mr. Godfrey: It's a real case.

Dr. McCracken: Presumably Dr. Burton, on the basis of the evidence in the file, certainly including the medical evidence, had come to the conclusion that there was a probability that it could have arisen from exposure in the laboratory. Once the probability was established, then the claim would have been allowed.

Mr. Godfrey: In essence, the benefit of the doubt certainly went to the claimant in that particular case, because there was no evidence of mycoplasma in the laboratory at any time; we leaned over backwards—

Dr. McCracken: This apparently would be the case.

Mr. Godfrey: Yes, it's a rather inconsistent policy at times, but I approve. How about lifestyle types of injuries? Say a girl wearing platform shoes slips at her job, strains her

ankle and is then given compensation. How do you balance off the lifestyle as opposed to your compensating granting?

Mr. Kerr: We don't make any difference whether she's wearing platform soles or loafers. If she has an accident at work in the course of employment, then that individual is entitled to compensation.

Mr. Godfrey: In other words, I think you're taking the thin-skull law: It doesn't matter how thin your skull is, if somebody hits you it's his fault if your skull breaks. Is this the correct interpretation of that?

Mr. Kerr: I don't follow that analogy, sir.

Mr. Godfrey: It's a legal term.

Mr. Kerr: I know what it means, but I thought we were talking about soles rather than skulls.

Mr. Godfrey: Yes, we are. My point is that you're accepting the responsibility; that person was quite well until she was walking around a lab on high platform shoes and slipped; she wouldn't normally hurt herself, but she did hurt herself, therefore you're accepting that as compensable; and I think that's laudatory.

Dr. McCracken: I believe that the interpretation of the "thin-skull" client is that you take your client as you find him.

Mr. Godfrey: Yes, exactly.

Dr. McCracken: That includes platform shoes.

Mr. Godfrey: Great. Does it include smoking and asbestos?

Dr. McCracken: Yes.

Mr. Godfrey: In other words, if a worker is smoking and contracts asbestosis in the asbestos plant, that doesn't count against him as far as judging whether that carcinoma of the lung, or whatever he has, is due to smoking?

Dr. McCracken: No. We know for a fact that there are a number of cases where the carcinoma is caused by the volatiles in the cigarette smoke, just the same as we know that a number of cases are caused by asbestos particles in the lungs. This is proven on the basis of the epidemiological studies—nothing from the pathologist; no hard pathological data.

Mr. Godfrey: So, as far as we're concerned, from the standpoint of compensability, it

doesn't matter whether the worker is a smoker or not, if he's been exposed to the asbestos then it's presumed that the cancer of the lung which generates is from the asbestos and not from the lifestyle?

Dr. McCracken: That's correct.

Mr. Godfrey: Thank you. How about a workman who yawns on the job, dislocates his jaw and is then given compensation? Aside from yawning in the Legislature and at these hearings—

Dr. McCracken: It must be a boring job.

Mr. Godfrey: Yes. What is your rationale or your justification for awarding compensation to a workman such as that, which is an actual case?

Mr. Kerr: I must confess I haven't seen one like that that's been allowed.

Mr. Godfrey: I'd be glad to put it on your desk.

Mr. Kerr: I doubt if that would arise during the course of employment even if the job were boring, as someone suggested.

Mr. Godfrey: That might be an occupational hazard of being in the Legislature.

I do appreciate the difficulty you have in adjudication—I won't go over it again—because of the adversary attitude which has been built up. Whether you're conscious of it or not, Mr. Chairman of the Compensation Board, it is there. I'd like to direct my next few comments as to how this can be stopped.

Certainly the adversary situation which the workman feels himself in is very debilitating to him and discourages his participation in the whole process. Is there any chance of reducing this adversary situation? I realize you have a member of your staff who will help the claimant organize his claim. But is that enough? Should we not be talking about a medical ombudsman—not hired by the board; a free agent, as the Ombudsman is for Ontario—who can look at these people and be prepared to be a friend of the judge, as it were. Has that thought entered the board's considerations?

Mr. Starr: Personally, I've been giving it some thought ever since I was on the task force and that came through my mind. Nothing concrete has been done to establish such a situation, but I can assure the doctor that that idea is not leaving my mind.

Mr. Godfrey: I don't want to press you, sir, but could we ask when we could have

further thoughts on it? You have a forward-thinking group in your society, and it would seem to me you are aware of the fact that workers do not trust the Workmen's Compensation Board. You are aware of that. If you're not, I can assure you that is the case. There must be steps taken to stop this. Otherwise, we're going to have total chaos.

Mr. Starr: I bask in the thought that 99.9 per cent are favourable to the Workmen's Compensation Board. It's those who are rejected or those who have unfavourable decisions made—with which they don't agree, naturally—who are the ones who don't look favourably on the board.

Mr. Warner: Could you give us the percentage again?

Mr. Godfrey: Ninety-nine.

Mr. Starr: That's not a concrete percentage.

Mr. Godfrey: Well, it's about ninety. Nine out of ten are happy with the treatment they get?

Mr. Starr: I would say so.

Mr. Godfrey: I must disabuse the Chairman of the Workmen's Compensation Board. You've got to get out and talk to some of these workers who are coming down there. I don't listen to a vocal minority. I listen to a large number of people and all of us here have at least 20 cases we can put on your desk right now where there has been dissatisfaction—right now, and I'm talking about today.

Mr. Starr: But you're talking, sir, about a volume of 420,000 cases per year, or 1,700 per day. I have made myself accessible to anyone who wants to see me—any claimant, without an appointment, whether it's by telephone or on a personal basis or by letter. I have sat down and discussed their cases with someone who was expert enough technically on adjudication to go over their files and to see whether justice was done.

Mr. Godfrey: I appreciate that, and I applaud you for the fact you are available. I'm personally aware of that. But how do you explain the feeling that people have towards the Workmen's Compensation Board? Has this not crossed your mind that something isn't being done properly? Excuse me, Mr. Chairman, a direct question—

Mr. Hamilton: Mr. Chairman, I think if we look at this whole problem realistically, the one underlying disturbing factor is inflation. If you talk to the injured workmen,

whether it's the disgruntled 10 per cent or the 80 per cent who go through the routine, they are being cheated out of wages and so on by inflation. I think that is the most disturbing feature of the people, whether they have a five per cent pension, or whether they're on full compensation, or whether they're on a long-term pension or not. If we could, by some strange magic, remove that inflation problem from all of the board, then the Chairman is perfectly correct, in my opinion—and I have been around this game a long time—that 90 per cent of the people go through the format of getting their compensation and they're relatively satisfied with the treatment they get and they're relatively satisfied with the pension.

But an underlying current in everyone who deals with that institution and other institutions today, is that they are being cheated by inflation. That is not the fault of the administrators at the board, it's not the fault of anyone. That, really, is the thing we must come to grips with if we're going to solve it.

I think we are dealing here primarily with a percentage which has been almost historical. Around eight or nine per cent of the people go through the appeals and are highly disgruntled for one reason or another because they've been badly handled as individuals or so forth.

Looking at it honestly and looking at it realistically the underlying discontent against the Workmen's Compensation Board or any other institution today is inflation. They are being cheated out of dollars which they rightfully should have to raise their families in an inflated society and that is not the fault of the Workmen's Compensation Board.

Mr. Laughren: If I might interject here, I must say that that kind of self-deluding attitude at some point will cause the board to self-destruct. When that commission was appointed to look into the Workmen's Compensation Board—Mr. Starr was chairman of that commission—the rate of inflation was not what it is today. Yet there were as many problems at the board then as there are today.

Anybody who thinks he can write off the problems of the board to inflation is surely kidding himself and trying to kid us, and that's ludicrous.

Mr. Hamilton: I am not trying to kid you but the problems we had at that time, Mr. Laughren, were unique to that period and are not the problems we have today.

Mr. Laughren: You can rationalize about any given point in time that you like but

the problems persist and they are attitude and the adversary system.

Mr. Hamilton: Sure, there are problems.

Mr. Godfrey: I think we do come back to the problems of an adversary system. As you know, the workman going down there, particularly the one who is not skilled and sophisticated, goes into a room with people of the calibre of Mr. Starr and others like him. He feels threatened, frankly, and he hasn't got very many friends with him. I think we have made our point on that. I think your point about money is sound. I certainly agree with Mr. Laughren that that's not the whole solution to it. There is far more to it than that.

Can we move on from that to the care of psychological and emotional problems resulting from an industrial accident? What is your general policy toward how a person is compensated for a functional overlay, or symptoms of anxiety or depression or hysteria, or accident neurosis?

Dr. McCracken: I can start off on that and then I think Mr. Kerr can add to it.

As some of the members on the committee here are aware, in 1974 the board issued a directive detailing the fact that psychological disability was an entity which we must address ourselves to. The board wished us to try to identify psychological disability as early in the disease process as possible in order that we might do a number of things. One of them was to determine whether or not it arose from the original accident in question so that entitlement could be established. Mr. Kerr will speak to that.

Also, having identified it—or possibly identified it because psychological disability is a very broad term to encompass pretty well everything in the emotional field so we'll be certain we're not going to miss anything.

To the non-medical people here, psychological disability really is not a medical diagnosis at all. It is a term used to designate that the person does have some emotional problem. It might be that the person is merely upset about the fact he's been injured; or he's upset about the fact that he is not back in the work place; or he is not able to participate in home activities; or it might be more serious than that.

In any event, to try to address ourselves to this matter, in 1975, I established the psychological social evaluation module at the hospital. The name of this module is to try to describe what it is to do—namely, address itself to the psychological aspect, to address

itself to the social impact and to evaluate these two factors.

[10:45]

It is essentially not a treating unit although treatment is carried out. It is the unit to try to determine whether or not the person does have a psychological factor and, if so, what should be done about it insofar as medical treatment is concerned; or insofar as para-medical treatment is concerned, such as group therapy with psychologists, and to establish what can be done from the aspect of the social worker to evaluate and come to grips with stress factors in the patient's home environment. Finally, the rehabilitation counsellor will have instruction as to what is, in the opinion of the team operating this module, the best direction that he should go in order to get the person back into a familiar environment, namely back home and back into the work force; by doing this as expeditiously as possible, we feel that this in itself has pretty positive, curative aspects.

What do we do about the payment for psychological disability? This is something Mr. Kerr can speak to, as it relates to the fact that two of the members on the module team are very senior claims personnel; it is their responsibility in conjunction with the physician, the psychologist, the social worker, the registered nurse and the other members of the team, to come to an evaluation as to the relationship and, therefore, entitlement to compensation.

Mr. Godfrey: Just before Mr. Kerr responds, what are the qualifications of the two members who make the decision?

Dr. McCracken: On entitlement? They are two of Mr. Kerr's personnel. He can speak to that.

Mr. Godfrey: And he'll give us their qualifications?

Dr. McCracken: Yes, he will.

Mr. Kerr: I'd like to say that I think that, at the direction of the board, we have been taking a little more enlightened approach to this problem during 1975 and 1976. As Dr. McCracken indicated, early recognition is important. With the introduction of this special group at the centre, we feel that if we can detect a psychological problem developing early in the period of disability, it's much better to try to correct it and eliminate it if we can. This is really one of the thrusts of our approach today, rather than getting involved in a case with a psychological

aspect a year, a year and a half or two years later, when there is a much greater problem in trying to solve it.

It has a beneficial effect in that we do have guidelines for identifying these cases—the things to look for, both for the claims adjudicators and certainly Dr. McCracken's medical advisers. We think there's been a beneficial effect in that.

We're all familiar with direct brain damage; there's no problem there in adjudication or as a direct result of physical injury. But we also will consider entitlement when we've got a psychological disability resulting from extended disablement, maybe a number of operations and a prolonged period of disability, plus other related factors. Certainly this is included in our adjudication process.

When it comes to determining the man's disability, we hope that by spending more money in terms of paying compensation for temporary total disability for a longer period of time, it's in the best interests of the individual if we can eliminate or remove the psychological disability. Which is a noble goal and sometimes is successful. We find we are a little bit more successful. Although we haven't been in the new approach long enough to completely assess it, it is our considered feeling that we are having some greater degree of success in this area. In those where we are not successful, of course, we must consider an appropriate permanent disability award.

In most cases we find that the psychological disability is concurrent with a physical disability, and during the period of temporary total disability there is no problem in treating both. When we come to the permanent disability aspect of it, there have been a number of cases during the past year where individuals have been given pensions for life and there have been some where they have been given provisional pensions for a period of time, perhaps two years, and reviewed.

We haven't gone down the road far enough to really determine the efficacy of the final approach, but we think that we are heading in a better direction than we were before the board directed us to take this kind of approach to the problem.

Mr. Godfrey: How many people would there be in this unit at one time? What's the patient quota?

Dr. McCracken: Day patients?

Mr. Godfrey: Yes.

Dr. McCracken: We've been trying to establish what the maximum capabilities are of the unit. The figure that I've arrived at is 350 cases per year. Beyond that, the personnel in the unit tell me it is beyond their ability to handle more than that. This works out to one admission of the 250 working days of the year at minimum.

Mr. Godfrey: I didn't hear the qualifications of the two people who set the pension or the disability allowance.

Mr. Kerr: The pension isn't set exclusively by the people in the psychological special unit at the centre. The director of the claims review branch, Mr. Kergon, is our representative out there. He has served in the former appeal tribunals under the previous system and is quite skilled in this area.

He's not a doctor nor does he pretend to be, but he's aware of the board's policy and the thinking and he is involved in entitlement. Another senior person, usually a supervisor from the claims adjudication branch, sits in with him at one level under the director. These two are senior people who help, along with the medical and paramedical members of the special group, to direct case management if you will, in the best interests of the man.

When it comes to setting the permanent disability evaluation, we have our own skilled people in the pension section, including pension medical advisers, our own claims pension adjudicators and our consultants on staff.

Mr. Godfrey: It would be possible for a person to have a 100 per cent disability impairment or impairment because of psychological reasons?

Mr. Kerr: Yes, it's possible.

Mr. Godfrey: Would you have an idea of how many of those have been awarded in the last year?

Dr. McCracken: That's getting into a different group of cases. The patients who are going through the module or at the hospital are the early cases that are not even being considered at that stage of the game for any permanent disability. It is hoped that very few of them ever will be because we hope by doing this we're going to have a pretty respectable success rate with these people so that we will overcome their disabilities.

Mr. Godfrey: I applaud that, but what do we do about the person who now has a well-

formed psychological disability who simply cannot work because of his problems? Can you give me an indication of how many of those we have and what's done with them?

Dr. McCracken: For people coming to permanent disability evaluation, we have developed data from the commencement of identifying these people, following the board order in 1974. Many of these cases have previously had temporary awards of 24 months applied to them. They were brought back and, from the middle of 1975 up to the present time, there have been 49 cases which have been reviewed on the basis of permanent disability evaluations for psychological disability, which has by that time developed to the point where definite diagnosis is made, namely, one of the psychoneurosis.

Mr. Godfrey: And they have been given a total disability rating?

Dr. McCracken: Not necessarily total because not all of them are total.

Mr. Godfrey: But as appropriate?

Dr. McCracken: That is correct.

Mr. Godfrey: What happens with the worker who has gone back to work? At least he's been on allowance and then he's asked to go back to work and is not co-operating. This is a phrase that was used earlier as a reason for downgrading his allowance. He is not co-operating but he tried. What happens to him? Is he seen by your psychological assessment? What is his fate? He has now had his allowance reduced by 50 per cent, I think it is.

Dr. McCracken: Any of the patients that have gone through the module—

Mr. Godfrey: No, I'm not talking about the module. I am talking about the ordinary everyday patient.

Dr. McCracken: With the other patients, the other cases, where there is some type of psycho-neurosis that has developed and they have had entitlement established for that—

Mr. Godfrey: I'm sorry, I haven't made myself clear, if you wouldn't mind my interrupting you.

This is a workman who is now six weeks beyond hurting his back. I don't know how much longer his allowance will go on, say another six weeks. Then he has his allowance lowered because he won't go back to work.

He says he's having too much pain. The assessment of the physician, or whoever has been assessing him says he can go back to work. What happens to that man?

Dr. McCracken: Mr. Kerr can certainly respond to part of this, but at that point in time, based upon the medical evidence—and this would be the medical evidence supplied by his treating physicians primarily, of course—they, hopefully, will be in a position to give us the information that in their opinion this person has totally recovered and they can't comprehend or understand why he is unable to carry on his work; or they will have given us the medical documents stating: "In my opinion, this man has an incomplete recovery. He does have some residual degrees of disability, I feel he cannot go back to his usual type of employment." There are the two different categories.

Mr. Godfrey: If we could just stick to the first, a nice, simple back pain; if after 12 weeks he doesn't want to go or can't go back to work because he says he's having too much pain and he's seen by the regular line of altruistic physicians who say they really think he should be going back to work, but this workman says: "I can't go back to work, I'm having too much pain"; in this case I'd like to know the process which is open to him from then on, aside from being accused of not co-operating.

Mr. Kerr: May I answer that from a claims point of view, because we hit that from time to time?

Mr. Godfrey: Frequently?

Mr. Kerr: If the situation is as you describe, where the medical information on file indicates clearly that the man should be working and there are no findings of any kind in the medical examination—and they're all subjective, it's just as the man says—in the initial stage we would have to take the medical information that's on file. Several things happen in actuality. Sometimes another medical report will come in from another doctor, which has some information bearing on it.

Mr. Godfrey: Another doctor; called in by whom?

Mr. Kerr: The man may go to another doctor on his own.

Mr. Godfrey: But you don't accept those reports.

Mr. Kerr: Oh, we take a look at all reports that come in.

Mr. Godfrey: If a workman goes to another doctor without permission from the board what happens to that workman?

Mr. Kerr: First of all, the man has the initial choice of his doctor; he chooses him.

Mr. Godfrey: Let's not fudge now.

Mr. Kerr: I'm not fudging, I'm going to answer your question, if I may. He has the initial choice of doctor, but once he's established treatment with that doctor he shouldn't change doctors without the board's permission.

But to get back to answer your question, if that man took it upon himself to go to another doctor and the doctor submitted a report, we just don't throw it to one side, we take a look at it. Maybe there's something in that report that's worthwhile, and so we would have, in our view in claims area, a difference of medical opinion. We would handle that in the same way as we handle any difference of a medical opinion. We would refer it to our medical branch and the man would be either brought in for examination by our own doctors or referred to a consultant in the local area. We would end up by taking the most senior medical opinion or the preponderance of medical opinion.

If the man did not go to a doctor on his own, he has the right of appeal. Usually what happens is the man will appeal that decision. When he appeals, it has to go to a higher level to be considered.

Mr. Godfrey: To evaluate the psychological problem; there are experts brought in to help you with that evaluation?

Dr. McCracken: Yes, that's correct.

Mr. Godfrey: That would be routine. The thing is that I think there are many workmen who do have psychological problems and may be put in a pejorative category inasmuch as there's something the matter with your head and therefore you tend to be pushed off the allowances. You wouldn't agree with that, but that's my impression.

Mr. Kerr: It's very much to the contrary right now. We have injured people who have that kind of a complication which is impeding their return to work and we're stressing, as I mentioned earlier, that it's better to try to resolve that and get him back to work, even though it takes longer and more

effort; and indeed to pay him compensation for a longer period of time on a temporary basis. We're trying to approach it from the point of view of can we eliminate or, if possible, reduce that problem.

Mr. Godfrey: Are we running into any cases, staying on the psychology bent for a little while longer, of white-collar workers who are suffering from strains of employment and are having compensation made available to them? For example, have any family doctors applied for compensation?

[11:00]

Mr. Kerr: Do you mean for coverage of employees in their practice?

Mr. Godfrey: No, for themselves. Family doctors have a very high rate of strain and stress as a result of their employment situation, particularly, say, in a university clinic. Or, let us get away from the personal things; let us talk about university professors in administrative posts, who have a great deal of strain upon them in their employment area and are covered by the normal compensation things. Have we had any claims from them as yet?

Mr. A. G. MacDonald: Mr. Chairman, the practice of medicine is not an industry covered by the Act.

Mr. Godfrey: No. I'm speaking about the University of Toronto, physicians on it's staff are covered. If I fall in the medical building over there, I certainly would get compensation.

Mr. Kerr: You're quite right. Employees of the University of Toronto, providing they are employees of the University of Toronto, are covered for injuries. In checking with my colleague behind me, we're not aware of any number of claims like that being submitted.

Mr. Godfrey: Is your colleague aware of the publication Job Demands and Work Health?

Mr. Kerr: I'm not sure of the relationship between that and the question, sir.

Mr. Godfrey: Without being impudent, this is a very deep report of what happens to workers in white- and blue-collar jobs who are exposed to strains and stresses. The Workmen's Compensation Act is basically a broken-bone Act; there's no consideration given to the psychological strains that come along with other factors in the employment situation.

Mr. Kerr: I'm sorry. I misinterpreted your expression "strains". I thought we were talking about back strains.

Mr. Godfrey: You see, you're organically oriented; that's your problem. We couldn't have a better demonstration of it.

My point is, are we gearing up or are we aware of the fact that many workers in industry who aren't necessarily exposed to carcinoma of the lung, or who aren't necessarily breaking their backs, have as much disability and morbidity as a result of the working situation or the quality of working life? Are we gearing up to the fact or are you aware of that situation, and what claims have you had made so far?

Mr. Kerr: We are aware of the situation, but I do not know of any claims that have been made for that condition from white-collar workers or blue-collar workers.

Mr. Godfrey: Really? I'll move on from that, but I wanted to make that point apropos of the question I wish to ask the chairman of the board, with regard to a curative as opposed to a preventive type of compensation. Now, I realize the ministry yesterday proposed to bring in an omnibus bill some time in the spring, which will take a good deal of care of the occupational health problems; that's what that Act was set up for. But I wonder whether it's really feasible to separate that from the Workmen's Compensation Board, and I'd like a comment from the director.

My point is this: The work situation is one in which you gentlemen are expert. You have more knowledge than anybody else as to what goes on where the worker is. Your claims adjudicators have amassed a tremendous file of facts which cause disorder, disease or what have you, and now we're proposing to set up something else separate from the compensation board which will deal with prevention. Surely one of the lessons medicine has learned is you don't separate cure from prevention.

My concern is whether setting up this type of omnibus activity, and removing it from the compensation board, is going to have a good effect in the long run. Would the director not prefer that the compensation group got more into prevention rather than curative work?

Mr. A. G. MacDonald: Mr. Chairman, I think the minister has said on a number of occasions that it is the intention to use all the resources, all of the statistics and all of the records of the compensation board in the new authority when it is set up. We are quite prepared to co-operate in every way to make

certain that all our records are available for that purpose.

Mr. Godfrey: Because of time, I will just make my point rapidly. You know, that's great; it sounds great on paper and it's great around the conference table, but does it really work that way? I insist that you people should be primarily concerned with prevention of disease. You already have your accident prevention group, and I fail to see why that isn't being extended.

In closing, may I ask what are your future plans? Where is the compensation board going?

Mr. Starr: If the resolution submitted yesterday passes—after it's amended, after it is passed and adopted by this committee, and becomes legislation, that's where we are going, I guess.

Mr. Godfrey: No, but what are your plans?

Mr. Starr: Our plans were set out in the task force report. At the end of that is what we foresee in the future; it somewhat coincides with the expression of opinions that has been made here.

Mr. Godfrey: Do you see anything outside of more and more claims? You have already pointed out that we have 30,000 claims and that we have 7,500 coming in per week—a fantastic amount—and next year it will be more. How do you propose to cope with this problem? You cannot go on eternally expanding your organization.

Mr. Starr: But I think we can go back to prevention. I think that the prevention of disease also should be part of our study and our objective, much in the same way as we like to be preventive in the industrial aspect or in any other sector of our economy. The purpose of the safety associations, and our funding of those safety associations for the purpose of education and the prevention of accidents, should be accelerated and kept up. That is about all you can do. I don't think you can legislate that there shall be no accidents.

Mr. Godfrey: I agree, you can't. But you may be able to legislate the way they are taken care of.

Mr. Starr: That's right.

Mr. Godfrey: Have you cost-accounted how effective it would be if you didn't do anything outside of a record of the 7,000 primary claims which are uncomplicated? Supposing you just made a simple record of that. Have

you cost-accounted how much you would save in time and money?

Mr. Kerr: No, we have not done that because, under the Act, they have to be adjudicated; a man's entitled to compensation. At the present time there would be no point in doing that unless someone had a specific objective or thought in mind. We had to adjudicate those claims and those people are entitled to compensation for the period of time they are off work.

Mr. Godfrey: My point is, and I think the chairman himself agrees that obviously we are headed for stormy times and we have to work out different tactics for taking care of these things. I have a tactic, which I am going to suggest in a moment, for taking care of it. I would like to know what you are thinking.

I know you are constrained by the Act, but surely you have a forward-thinking group that says, from a cost-benefit point of view, Does it pay to spend this much time? Wouldn't we be better, as some insurance companies do, simply to pay a lump sum and not fiddle around with all the paperwork? Have you a task force that looks at that?

Mr. Starr: It is always under review and consideration. I really believe that in the field of compensation you can't be standing still; you have got to be susceptible to change, and you have got to accelerate that change at times whenever it is necessary to suit the purpose and the demands of the community.

Mr. Godfrey: Are those internal reports? Are they available? The reports of the deliberations of that task force that's having a forward look at compensation 10 years from now? There are reports, I presume, that are put on your desk every six months.

Mr. Starr: There is no task force at the moment.

Mr. Godfrey: There's no task force looking at where you're going to be 10 years from now?

Mr. Starr: Not to my knowledge. It's a matter of—

Mr. Godfrey: You have one of the biggest businesses in the province and you don't have an ongoing plan for where you're going to be 10 years from now? Are we just going to come back here every year and go through this over and over again? I won't be here, but others will be; are we going to go through this same routine? Surely you

have some forward thought as to better ways of doing this, where you say that 10 years from now we want to see claims handled—you brought in the computer yesterday; that's fine, but it won't solve everything. But you don't have a task force that looks at that?

Mr. Starr: Not at the moment.

Mr. Godfrey: May I suggest that a possible solution might be that all accidents in the province, regardless of whether they are in the industrial setting or not, be compensated? Would that seem unreasonable to you?

Mr. Starr: It would be—

Dr. Jacobs: May I comment? Without going back all through this, the whole tenor of it as to where we're going or where you would like us to go—and I think it's fine if you can apply it to the entire populace—is the “womb-to-tomb” philosophy, that you should recompense for conditions that are even not work-related. We should recompense people for carcinomatous lesions of the lung in the non-covered sector as well as in the covered sector. We should pay for almost any condition if it affects the individual and his family. In other words, as I say, we are looking—and I get the general tenor of it—at the general welfare situation. But where do we contribute, where do we get the money from?

Mr. Lupusella: From the employer.

Dr. Jacobs: Just a moment, please, Mr. Lupusella.

Where do we get the money from? Are we all prepared to pay for it? Are you prepared to pay for it individually yourself, Mr. Germa, Mr. Lupusella, Mr. Smith? Am I prepared to pay for it? That is the ideal situation and maybe where we should be going. But the point is, when are we going to arrive at it and how are we going to arrive at it. Are we 10 years ahead of our time in this philosophy? Maybe we are looking at that at the board, and I think we are. I've been there since April and I can assure you that this is foremost in my mind. But I still have to look at where are we going to get the money to do it?

Mr. Lupusella says the employer. I say to you where is the employer going to get it from. He's going to get it from you because it is going to be passed on in the commodity.

As I say, I think everything is fine, I agree with this path if we can afford it. And where are we going to get the money? We haven't

a task force at this particular end dealing solely with that, but I think the gist of Mr. Haggerty's question is apropos of that. He talks about dovetailing all the places where money comes from and he dovetails it for one purpose, namely, to get each and every individual a place on this earth really, a place where he can hold his head up and have the feeling that he is not accepting charity.

I may be oversimplifying it in my statement and maybe I am speaking out of turn, but that is the general tenor of it.

Mr. Laughren: I don't think you are speaking out of turn. It's nice to hear someone at the board with a global view. Where I would disagree with you is that until the board has its house in order and is compensating workers properly when it is related to their job, until you have done that, I wouldn't worry too much about the womb-to-tomb philosophy in our society. Until the board's house is in order, I don't think it should be your concern as to whether or not society wishes to have a comprehensive system or can afford to pay for it; because surely we are moving into a time—I think that Dr. Godfrey mentioned it when he said we are headed for stormy times—where we are just at the tip of the iceberg on occupational health problems. They are going to compound, I don't think we even have any concept of how bad it is going to be.

There is the petrochemical industry, for example. We are just going to start reaching the point where you are going to have an influx of claims from the petrochemical industry, I suspect. It is going to have to be considered as a cost of doing business, a cost of society's so-called progress. I don't think it behooves the board to sit there and be overly concerned about the cost of doing business. In the same way, Mr. Starr's statement about—

Mr. Chairman: Mr. Laughren, Mr. Godfrey has the floor. Then he is followed by Mr. Smith and Mr. McClellan.

Mr. Laughren: You sure know how to cut a guy off in mid-flight, Mr. Chairman.

Mr. Godfrey: As I was saying, I don't think it's appropriate for Mr. Starr to make a comment that levies will have to rise if we are going to continue to pay for all these accidents. I appreciate the fact that he has concern as to where the money is going to come from. But it is still his job to administer the dispensing of it rather than the collecting of it.

Mr. Starr: Which we do.

[11:15]

Mr. Godfrey: I will finish, sir. I am sorry that I have been a little longer because of the interjections. I cannot help but reinforce what my colleague has said. As a responsible member of Her Majesty's loyal opposition, I implore you, for goodness sake, this is going to absolutely balloon. You are going to have two university professors apply for compensation tomorrow after my remarks because these are work-related disabilities they have. More and more people are aware of this fact. Maybe even some of your staff will apply.

An hon. member: And everybody here.

Mr. Godfrey: I cannot point out the enormity of what we are facing. You have to get away from the broken-bone concept of what is compensable. There is the fact my wife is going to leave me because I am down here all the time. I should be compensated for that. That's what it comes down to because that is related directly to my work.

This is not too subtle an argument. As a member of the opposition, we are happy to work with you. We applaud this most recent statement from Dr. McCracken, and we want to see the Workmen's Compensation Board work more effectively. I assure you of our co-operation in that.

Mr. R. S. Smith: I am sorry I wasn't here at the opening. I had to attend another meeting so I missed my turn. I just had one other area that I wanted to cover and I will do it rather quickly. Last night I spoke about the question of the board's ability to come to conclusions as to whether a person is compensable or not. When I came in Mr. Godfrey was asking the same questions along that line, so I got some of the answers I was going to ask.

The other matter I want to bring up is the question of the person who is on a permanent disability pension and applies for computation of that. I would like to know what the ground rules are on which that computation is granted, because I find it's neither consistent nor does it take into account the socio-economic needs of the person concerned which, as you have indicated, are applied in almost every other case in so far as the adjudication of the board is concerned. In the question of computation of a permanent disability pension, the only criterion I have seen is if it will be of assistance in the rehabilitation of the workman. Is that true?

Mr. Starr: Yes, that's true.

Mr. R. S. Smith: That's the only consideration.

Mr. Starr: His interest is uppermost in the mind in the decision.

Mr. R. S. Smith: For example, about a month ago I had three cases before the board in one day, one after another. On one of them, I will grant you, I went there just because the person was insistent on my going. I knew he had no opportunity to win his case. I thought the second one had a fair chance. In the other one I thought that the board with any kind of consideration for a person's socio-economic needs could do nothing else but rule in his favour on computation.

In my area there are many people who do not come under agreements with their employers for provision of long-term disability, and that has concerned most of the people who work in my area. Most of the people who work in my area still are without that type of coverage. When they are permanently or partially disabled, which is a questionable thing which I don't want to start to get into, they receive maybe \$110 a month from you people. They then apply for Canada Pension Plan and are usually successful in getting that. On top of that they get family benefits. The total for this one case, if I remember correctly, was \$560 per month where there were four children and two adults. He applied for a computation of his disability pension on the basis that he had large debts to pay which were leaving him with a very small amount to live on for a month. It was turned down on the basis that it wasn't in his best interest and that this income should continue in that it had nothing to do with his rehabilitation. I think I quote quite clearly from the decision.

In the first place, the man had developed a very serious heart condition; CPP and the family benefits had both decided he will never go back to work. Obviously the board doesn't take that into consideration and didn't recognize that. If they'd recognized that and recognized the socio-economic conditions of the person, the fact is that any computation would remove his debt and would increase his family benefits. Therefore, the person would be better off by approximately \$270 per month as far as the income on which he and his family are to live. So it had nothing to do with his rehabilitation because he's not rehabilitated.

Secondly, there was no consideration given to his socio-economic needs, because if there were, they could only arrive at the one conclusion, that in fact his pensionable amount

should be computed and he should be granted the lump sum in order to get him out of the terrible financial position he finds himself in basically because of his injury and the fact that he went for a good long period of time with a very low amount of funds from this board.

I would like to ask you, first, are there any socio-economic considerations at all in those cases? Secondly, if there aren't, which obviously from my point of view there aren't, would the board enlarge the grounds on which computation can be granted to take into consideration the socio-economic needs of the person; and would they make sure that when they make statements as far as rehabilitation is concerned they know what they're talking about?

Mr. Starr: This matter comes under the direction of Dr. McCracken. It's a case in rehabilitation.

Mr. R. S. Smith: It's a board matter.

Mr. Starr: Was it an appeal?

Mr. R. S. Smith: It was an appeal to the board.

Mr. Starr: And the board itself ruled on it?

Mr. R. S. Smith: That's right.

Dr. Jacobs: Without getting into the particular case at hand—

Mr. R. S. Smith: But this has happened often.

Dr. Jacobs: As you are aware, I've dealt with many of these in the past 10 years at various levels and we have always operated with a discretion. At times, whether that discretion has been vested in us or not, we have taken into consideration all of the factors you have raised here today, particularly the socio-economic factor as it affects the overall man.

Once again, you are dealing with the discretionary factor I've seen money for the purchase of the home, I've seen money for relieving mortgages, I've seen money going into business establishments and I've seen money going out to what I call the indirect benefits. Indirect benefits to me are as important as the direct benefits to that individual. Those indirect benefits are the man's wife, his children and his status in society. I can assure you, and I can assure you into the future, that in exercising that discretion they will be considered. That's all I can say without particularizing.

Mr. R. S. Smith: I don't expect you to particularize, but that is altogether a different approach to the situation than was given to me as a description of computation by the board chairman. I find that there has been a gradual change within the past year in the disposition of the board towards that type of decision. I don't know whether it's because of the opposition that is being placed before the board by the employer, which the chairman indicated was being done much more strenuously, but in my particular case—I don't read the statistics, because statistics are just a pain in the neck as far as I am concerned; I'd rather deal with people than statistics—I find there has been a different attitude at the board level towards people than there has been in the past.

Dr. Jacobs: I hope that difference, Mr. Smith, is all for the better and the best.

Mr. R. S. Smith: In some cases I don't think it is.

Dr. Jacobs: Of course, that's true. As they say, you can't win them all, nor can you lose them all.

Mr. R. S. Smith: I'm not worried about winning or losing. I don't go there to win or lose.

Dr. Jacobs: It's a philosophy, that's all.

Mr. R. S. Smith: I really don't go there to win or lose. When there is a different application at different periods of time, then I say there's something wrong and there should be a change perhaps not in the way you people operate, because I understand you operate under and within certain regulations, but I say to the Chairman that as far as computations are concerned there should be a different emphasis allowed to be put on the granting of computations. I would ask him for his remarks in regard to that.

Mr. Starr: I would assume that Mr. Smith is saying there should be a more liberal attitude by the board in the requests and that we probably should not consider as much the future of that individual but rather deal with his present desires and requests, whatever the case may be. But we don't only look at his situation now. If it's going to rehabilitate the man properly, if he is going into some sort of business and at the time of the investigation we feel it is a good, sound investment, then the capital will be forwarded. That has been done before, and not all these businesses have been successful, but the case is never closed. The man

may have a computation of his whole pension and come back to us after he has gone through all this money, and it's really in his best interests that we make the decision in most cases as the decision is made now.

Mr. R. S. Smith: But I'm asking you to make a change in computation in light of the fact that rehabilitation of the person concerned is not the only consideration. When you do that and apply that criterion, as you do and as you say you do—and you say you do it to protect the individual—in 90 per cent of the cases, I agree with you, it may well be done to protect the individual against himself. But there are those cases where a computation that is not in accord with that definition of why it should be carried out is in the best interests of the workman and costs you no more, insofar as dollars and cents are concerned, if your computation is figured on the basis of actuarial figures, which it is.

I'm asking you if it is in the best financial interests of that person and his family that the computation be carried out—and I'm talking about the long run here; not the short run, but the long run—whether rehabilitation is possible or impossible. In the one case I pointed out—and there are many other cases I have come across—rehabilitation is not in question at all; it's just never going to be there. I'm asking you for a change in the method of dealing with computations to take into consideration those other cases, which occur quite frequently, as I'm sure your board recognizes.

[11:30]

Mr. Starr: You can rest assured that we shall take your suggestion under serious consideration.

We were going to make some comment on the case you brought up yesterday, Mr. Smith. Mr. Reed wants to make those comments in order to clarify the situation, if possible, but at the moment he is out. I wonder, Mr. Chairman when he comes back whether we can just revert for a moment so that Mr. Reed can answer Mr. Smith on that case.

Mr. Chairman: The next speaker is Mr. McClellan. Would that be satisfactory with you, Mr. McClellan?

Mr. McClellan: Okay.

Mr. Starr: It will be short.

Mr. Chairman: Mr. McClellan?

Mr. McClellan: I suppose what I want to do at this point is somewhat hazardous for me, but because the Chairman started off by talking about, as the *Globe and Mail* said this morning, the money woes of the Workmen's Compensation Board, I want to try to come to some understanding of how you manage this fund. And let me say that if we, as members of this House, think that the administration of the board is something of a quagmire, having gone through your—

Mr. Starr: With which I don't agree.

Mr. McClellan: Absolutely. I understand that. I have heard that very clearly. If that is a quagmire, your financial picture is a veritable swamp as far as I am concerned. I don't think you could possibly present your financial information in a more confusing kind of way. I expect to get confused during the course of our discussion, but I want to proceed anyway.

What I heard you saying, Mr. Starr, when you opened up—and it may be an extrapolation from what you said; I suppose it is an extrapolation—was that one of the reasons you are not willing to raise benefit levels is that you are unwilling to increase assessments.

Mr. Starr: I didn't say that at all. I beg your pardon. I didn't say we don't want to raise benefit levels.

Mr. McClellan: I'm trying to come to some kind of understanding in my own mind about why it is that we have had to wait for so long for a benefit increase. I can only come to the conclusion that you are reluctant at this point in time to increase assessments.

Mr. Starr: I didn't say that. We are in the hands of the Legislature; if the Legislature amends the Act, we have to follow the Act.

Mr. McClellan: Are you recommending vigorously to the minister that the benefits ought to be increased?

Mr. Starr: We haven't made any recommendations.

Mr. McClellan: Are you expressing the kinds of concerns that you expressed in your lead-off statement; in effect, shedding crocodile tears for the industrial sector about the increased burden of WCB costs to industry?

Mr. Starr: No, we are not shedding crocodile tears for the industrial sector at all. What we did was point out the realistic

aspect of the whole situation and that industry now is also demanding certain things from us, much in the same way as, on the other hand, the industrial claimants are.

Mr. McClellan: You will forgive me if I interpreted that as shedding crocodile tears. Let me try to proceed. Your auditor said in his report, which is in your annual report: "In my opinion, subject to realization of assessments sufficient to finance existing reserves and commitments," everything's okay.

What I want to get into now is, in fact, whether your assessments are sufficient to finance existing reserves and commitments. Let me ask you a question. Do you regard the Workmen's Compensation Board as an insurance programme to be run on insurance principles?

Mr. Starr: It's a basic principle.

Mr. McClellan: Okay. I understand one of the principles of insurance is that you should have the capacity to wind up your affairs and meet your obligations on a lump-sum payment basis. It's a normal principle of insurance that your reserves ought to be sufficient to meet your obligations in the event that you had to wind up your operations. Would you accept that as a valid proposition if you were an insurance operation?

Mr. A. G. MacDonald: There are a couple of sections of the Act that deal with that which we can quote to you. If you'll just give me a minute, I will get them for you.

Mr. McClellan: It would be helpful for me to know whether you are operating on insurance principles or not. It is hard to assess the financial picture unless I know whether you are trying to operate as an insurance operation or, on the other hand, whether you are operating partly on insurance principles or partly as a government programme which compensates workers but doesn't necessarily operate on insurance principles. It is important that I know that; otherwise I can't assess your financial position very clearly.

Mr. A. G. MacDonald: The aim of our board has always been to be as fully funded as possible in relation to our liabilities. This has been complicated in recent years by retroactive benefit increases, by decisions made to amortize, to capitalize sums over a period of time which has deferred the recovery in relation to the reserve. In fact we are not now fully funded as has been described, but certainly that has always been our aim. The sections of the Act, which I

will quote, suggest that it is our duty to have reserves in the year in which a liability has occurred in order not to unfairly burden future generations of employers.

Mr. McClellan: How do you build your reserves? When you award Mr. A a pension, do you set aside the value of a lump sum permutation of that pension and put it into the reserve?

Mr. A. G. MacDonald: Yes, we do.

Mr. McClellan: That is how you build up your reserve? From what you are saying, I gather that you strive to operate on insurance principles?

Mr. A. G. MacDonald: Exactly.

Mr. McClellan: That is helpful in terms of my being able to make an assessment. I'll come back to that in a second. I have real difficulty in going through the financial data that you have presented because it is very difficult to get a clear picture. You say on page 2 of the text that pension awards and other benefit payments under the Act for schedule 1 and schedule 2 employers totalled \$287.4 million in 1975.

Mr. Starr: Excuse me, as Mr. Smith is anxious to get away, I wonder if we could deal with his question.

Mr. McClellan: I would be happy to do so because I am just starting. Let's deal with Mr. Smith before I get hopelessly confused.

Mr. R. S. Smith: He can deal with me privately if he wants to.

Mr. Starr: No, I think in view of the fact that you have put yours on record that we have to reply.

Mr. G. W. Reed: Mr. Smith, I am in a bit of difficulty because I don't want to get into a discussion on the merits of this particular case. I don't want to bring that into the picture at all.

Mr. R. S. Smith: That is what it is all about.

Mr. G. W. Reed: It is also a case up for a hearing on December 20. I don't think we ought properly to discuss the merits of the case, when it is coming on for a hearing and for a decision on December 20. But, let me say this, as a result of the very substantial increase in appeals volume, which I won't go into at the moment, we set up a new process in the appeals system. All appeals that come into the system now are automatically

screened on the day in which they come into the system.

Three courses of action may be followed with those cases: One, decisions may be made from file without any hearing; two, a substantial percentage of them may be referred directly to an appeal board for a hearing and not go through an appeals examiner inquiry at all; third, the remainder of the cases go to appeals inquiries. In the particular case you raised, it went through this screening process and it was concluded that it was a proper case for inquiry and not a case that could be decided from file. Again, this is where I'm in some difficulty in dealing with your particular problem. It was concluded that it was necessary to have an inquiry in this case and that it could not be decided purely and simply on the evidence that was already on file.

I can say to you that the reason or the point that is still to be decided is the one that was the basis of the claims review branch decision on September 20. In the opinion of the people who screened this case, that is still a matter in issue; and that, substantially, is the purpose of the inquiry on December 20.

Mr. R. S. Smith: Could you tell me what that matter at issue is?

Mr. G. W. Reed: That's not what I want to get into. That's what I'm trying to avoid.

Mr. R. S. Smith: I don't know what it is—

Mr. G. W. Reed: You do have the claims review branch decision. I'll be glad to discuss this with you privately, but you do have the claims review branch decision and it's outlined in the concluding paragraph of that decision. That is the issue, but I'll be glad to talk to you about it privately. I don't think we should discuss it in a public forum like this; it is a matter which is still up for decision.

Mr. R. S. Smith: If we're not going to discuss that, then we can't discuss the efficacy of the medical opinion that's been given; and that's where the question is.

Mr. G. W. Reed: I say that—

Mr. R. S. Smith: If you want to discuss that, I think we should discuss that publicly.

Mr. G. W. Reed: That is a matter that's still up for decision. It's going to have to be decided.

Mr. R. S. Smith: I stand behind the efficacy of those two doctors and obviously you don't.

Mr. G. W. Reed: I'm not saying that in any way, shape or form.

Mr. R. S. Smith: The board doesn't.

Mr. G. W. Reed: I'm not saying that the board doesn't.

Mr. Laughren: Do you believe in the benefit of the doubt, Dick?

Mr. R. S. Smith: If it's one way, obviously. But that's the question—

Mr. G. W. Reed: Yes. And there's certainly another issue at stake, too, that was the basis of the Claims Review Branch decision.

Mr. R. S. Smith: That's fine. If that's all we're going to table, that's fine.

Mr. McClellan: Aren't you glad you waited around?

Mr. G. W. Reed: Mr. Chairman, speaking now as a lawyer—and I happen to be a lawyer—I think it is not proper under any circumstances to discuss a case or the merits of a case which is presently in the system and which is going to be decided upon. I'm afraid that I have to take that position, because if we discuss it we're going to be accused of making decisions in advance of the hearing—

Mr. Laughren: It's not a court of law.

Mr. G. W. Reed: —and that surely is not a proper way in which to conduct appeals.

Mr. McClellan: It is an adversary question.

Mr. G. W. Reed: It isn't.

Mr. Laughren: It isn't a court of law either.

Mr. R. S. Smith: Let me put it to you this way: The board has the right to change that decision; the board goes through that process, and that's what I was asking you to do.

Mr. G. W. Reed: All right. Under our new system, yes, the board certainly had the right of changing that decision without going to a hearing. We have adopted that process and we are doing it in a number of cases. Where it comes into the appeal system, and there is no inquiry and no appeal board hearing, the decision is made from file. We are doing that in a number of cases.

Mr. Laughren: That's all we're doing here today.

Mr. G. W. Reed: I'm saying to you that it was concluded in this particular case that such a decision could not be made without a further inquiry.

Mr. R. S. Smith: I would like to know why that conclusion was arrived at.

Mr. G. W. Reed: I am not going to discuss the merits of a particular case in public. I think it would be highly improper.

Mr. R. S. Smith: Okay. But just tell me privately.

Mr. G. W. Reed: Oh, yes, I will do so.

Mr. R. S. Smith: Nobody's been able to find that out.

Mr. G. W. Reed: All right. I'll be glad to do that, sir.

Mr. R. S. Smith: That is the hub of the matter.

Mr. Laughren: Then you'll come and put it on the record.

Mr. R. S. Smith: I'd like to know.

Mr. Starr: He doesn't want you to know.

Mr. G. W. Reed: I'll be glad to go out now and discuss it with you, sir.

Mr. R. S. Smith: Okay.

Mr. McClellan: If we can leave the quagmire and go back to the swamp—

Mr. Chairman: Mr. McClellan?

[11:45]

Mr. McClellan: Thank you. I was saying I understand, from page two of the text, that the pension awards and other benefits for 1975 were \$284.7 million; I've used that figure since it's in the text. I have two concerns that I ought to state right at the outset and then I'll give you my understanding of your financial picture.

My first impression, after going through this innumerable times, is that you don't collect enough money in assessments to pay your cash obligations on an annual basis. Second, you don't have enough money on hand to settle your obligations in accordance with the established traditional insurance principle that you should have the capacity to wind up.

Let me give you what I understand the figures are, and then maybe you can respond to that. On page two of the financial statement in your annual report—do you understand where I am? It's the Workmen's Com-

pensation Board statement of income, expenses and contingency reserves; schedule one, accident fund.

Mr. A. G. MacDonald: Mr. Chairman, while I have my fingers in the sections, do you wish me to quote the sections that are pertinent to this at this point?

Mr. McClellan: Just give me the references to the Act.

Mr. A. G. MacDonald: The reference number in relation to our duty to reserve in the year of the liability is section 84. The section which covers our ability to assess subsequently, if that is insufficient, is section 103. The section which specifically deals with the situation where retroactive increases in compensation are made subsequent to that time is section 34. And there's another section, section 108, which deals with the responsibility of the Superintendent of Insurance if we have insufficient in reserve.

Mr. McClellan: Okay. Thank you. On page two of your financial statement, you list your income from assessments as \$327 million. However, my understanding is that after you make a series of deductions, the actual income from assessments, that you have available to meet your obligations is only \$287 million. You deduct a substantial amount, I assume because it's not available to meet your current cash obligations on an annual basis, and you are then left with \$287.4 million in net assessment that can be applied as income against your annual costs—

Interjection.

Mr. McClellan: Let me proceed through and then you can respond. If we take that as your assessment income, then deduct the \$284.7 million which you said on page two was your accident and pension costs for the current year, and add in your administrative costs and other expenses of \$41.8 million, that leaves you in a deficit position of \$39 million, which I understand that you've paid out of your contingency reserve. The fact still remains, as far as I'm concerned, that your assessments are not producing sufficient income revenue to meet your current cash obligations on an annual basis.

Mr. A. G. MacDonald: That was correct for the calendar year 1975.

Mr. McClellan: Why was that?

Mr. A. G. MacDonald: Quite simply it was because of the benefit increases which were

made on a retrospective basis but which we had yet not the opportunity to assess for.

Mr. McClellan: Yes, but you have a variety of ways of deferring and amortizing those retroactive and legislative increased benefits. You have a variety of ways of dealing with that. I don't understand why you would incur a deficit in your assessment income in any year.

Mr. A. G. MacDonald: In fact, we're not suffering a cash deficit as such. If you want to look at it from that point of view, in terms of the pickup that is going into reserves, in fact there is quite a substantial increase even in the calendar year 1975 and certainly much more substantially than that for 1976 and 1977.

In terms of recovering the funds for which we now have actuarial estimates, in terms of our full liability for the future, our assessment rates this year are just breaking us even for 1976 liabilities. It will not be until 1977 that we start to recover against our outstanding total deficit of unfunded liability.

Mr. McClellan: I understand that. Then that substantiates the concern I expressed earlier that your financial position is sufficiently askew that you are reluctant to consider a benefit level increase at this time because you would then run into additional problems.

Mr. A. G. MacDonald: Not at all. Our problem is a matter of balancing burden. It's just that simple. To what extent can we afford to defer to future generations of employers the liabilities of today? I think it would be useful if I asked our actuary, who is here today, if he would give you a breakdown of the unfunded liability, just where it came from and the reasons for it. It really arises completely out of retrospective benefit increases and the effects of inflation, which every pension fund in the country is having to deal with as it relates to the earning rates of investments and inflation.

This is not in any way an unusual situation for an organization like ourselves to find ourselves in. Every compensation board in Canada has exactly the same problem. We have been discussing it with them at great length. If you look at the balance sheets of those funds, you will find deficits varying from \$200 million to our situation. It is a perfectly normal situation in these days of the recognition of the need to index pensions. There is even a need to index

compensation payments, coupled with the effects of inflation and interest earnings.

Mr. McClellan: But they're not indexed? What do you mean by indexed?

Mr. A. G. MacDonald: They have been indexed. There was a 60 per cent indexing, plus a further 10 per cent which had to be funded.

Mr. Laughren: But there's no automatic indexing.

Mr. A. G. MacDonald: It was done by legislation. It's been done regularly in that sense recently.

Mr. McClellan: Up to now it seems to have been done regularly. It certainly hasn't been done this year.

Mr. A. G. MacDonald: I agree it hasn't been done yet for 1975-76. Mr. Neal, would you like to explain?

Mr. Neal: Yes, I would like to get to that.

"(a) In 1965 whilst reviewing with the Ministry of Labour the significant costs involved with respect to the 1965 amendment dealing with pensioners, it was concluded that the impact on assessment rates should be spread over 10 years by amortization. As at the end of 1975, this policy accounts for \$166 million of the board's unfunded liability."

Specifically, \$84 million remains from the 1975 amendment; \$36 million from the 1974 amendment; \$35 million from the 1973 amendment, and \$11 million from the 1971 amendment.

"This unfunded liability is fully provided for within the current assessment rates. In particular, a charge of some \$26 million is included in the 1976 rates, which amounts to 11 cents per \$100 payroll or just over six per cent of the gross assessment rate.

"(b) In 1975, temporary benefits were also increased. Due to the short-term nature of this liability, the funding was put on a pay-as-you-go basis."

To make a comment there, if we were to amortize it, the money would come in at a slower rate than on a pay-as-you-go basis.

"As at the end of 1975, this policy accounts for \$42 million of the board's unfunded liability.

"(c) Prior to 1975, the board's policy, set up on the advice of its consulting actuary, was to make no allowance for the effects of inflation subsequent to the date of accident. In 1975 it became apparent that this policy was no longer appropriate and that the effects

of inflation up to the end of 1975"—and, I would make the side comment, not subsequent to 1975—"as it affects future payments should be included in the computation of the board's 1975 year-end liabilities.

"The restatement as at the end of 1975 accounts for \$100 million of the board's unfunded liability."

"(d) The pre-1975 policy outlined above also resulted in benefits paid out, up to the end of 1975, exceeding the reserves held to meet them. As at the end of 1975 this, less the amount recovered from intervening assessments, accounts for \$30 million of the board's unfunded liability.

"(e) Consistent with the policy above, it was board policy prior to 1975 not to allow for changes in the average duration of a claim. This policy has also been altered so as to allow for changes between the date of accident and the end of 1975.

"The restatement as at the end of 1975, plus the net loss from prior years, accounts for \$50 million of the board's unfunded liabilities.

"(f) Miscellaneous items such as interest on the restated unfunded liabilities, increased benefit payments resulting from non-quantifiable amendment and changes in social attitudes not covered under (e) are estimated to account for the remaining \$12 million of the board's unfunded liabilities, giving a total unfunded liability of \$400 million.

"In summary, the board's unfunded liabilities, which are not covered by specific levies within the current assessment rates are: Pay-as-you-go of non-pensioners re amendments, \$42 million; restatement re inflation at the end of 1975, \$100 million; past unrecovered losses re inflation, \$30 million; restatement and past losses re duration of claim, \$50 million; miscellaneous, \$12 million; for a total unprovided, unfunded liability of \$234 million.

"In addition there is unfunded liability of \$166 million relating to amortization of pension amendments which, as stated above, is covered under the present assessment rates via an allowance of 11 cents per \$100 of payroll. If this allowance is not reduced as each 10-year amortization period expires, then the \$234 million of liability under items (b) through (f) will be funded by the year 1995 or earlier, i.e. equivalent to an amortization of the entire unfunded liability of \$400 million over a 20-year period."

It may be of relevance to you to note that these actuarial computations, as I said, have not allowed for future inflation; in other words, if the Legislature makes increases to benefits to existing claimants and so on,

these liabilities here make no allowance for that. We are not second-guessing.

Mr. McClellan: I'll read the Instant Hansard to see what that means.

As they say, moving right along--

Mr. Starr: If it would be helpful, instead of waiting until Hansard comes out, Mr. Neal can provide you with a copy of that statement.

Mr. McClellan: That indeed would be helpful and I would have a chance to go

over that. It shouldn't take me more than five minutes to absorb it.

Mr. Neal: It took me 18 months.

Mr. Chairman: It's now 12 o'clock.

Mr. McClellan: Right: I understand that. When we resume, I want to raise the second part of my concern with respect to the reserves.

Mr. Chairman: I will now leave the chair, and we will resume after the question period.

The committee recessed at 12 noon.

APPENDIX B

Standing Resources Development Committee

WEDNESDAY, DECEMBER 15, 1976

The committee resumed at 3:07 p.m.

WORKMEN'S COMPENSATION BOARD
(continued)

Mr. McClellan: I will begin, although I will defer to Mr. Lewis when he arrives. But I did want to continue the line of questioning I had started to satisfy myself that the fund is in fact operating on insurance principles. To the extent that I understood it, I was reasonably satisfied with the material provided by the actuary and I'm grateful for it. I wanted to review the second matter I had referred to earlier, which was the amount in reserve available, on insurance principles in case you wanted to wind up. I calculate a shortfall of some \$300 million from your statements—a \$300 million difference between amounts owing in pensions and amounts available in pension funds. I could quickly run through them.

Mr. A. G. MacDonald: Are you suggesting it is a shortfall for pensions alone?

Mr. McClellan: Let me run through the figures and then you can tell me if I'm wrong or not. Firstly, in your pension fund you state on page 10 of the financial statement on pension transactions that the total amount owing to pension recipients is \$610.5 million. The total amount in the pension fund, which I assume covers that, is \$444 million for a deficit in the pension fund of \$166.5 million. Secondly, in the outstanding claims fund, you state on page 11(2) in note 3 that the total amount of future costs of existing claims is \$367.4 million. Going back to page one of your financial statement, the total amount in the outstanding claims fund is \$250.6 million for an additional deficit of \$116.7 million. I then add those up to arrive at a \$283.3 million deficit between pensions and claims owing and amounts available in the respective pension funds and the outstanding claims fund.

Let me ask one question which you may be able to clear up quickly. Am I correct that this deficit situation exists for the year 1975?

Mr. A. G. MacDonald: Yes, you are correct.

Mr. McClellan: Will that continue in additional years or is that something that was covered? Without getting into a long ex-

planation, I just want to know whether that's a temporary phenomenon, or something that's going to be with us for some time. In other words, are you eating into your reserves to meet claims?

Mr. A. G. MacDonald: I will ask Mr. Neal to deal with that.

Mr. Neal: If I may take that, your mathematics are correct, except that in actual fact the unfunded liability is \$400 million rather than \$300 million. Where we show our liabilities and reserves on page one, you will note we specifically use the word reserves rather than liabilities for items of outstanding claims et cetera. The reason for this was that at the end of 1975 neither myself nor our consulting actuaries were prepared to state exactly what the liabilities were with regard to the outstanding claims. If you note in some of my remarks in this note, we said that the board was changing its policies with regard to recognition of incurred inflation. By the end of April 1975 we were not satisfied that the figure which, even at that point was \$400 million to the extent that we were prepared to certify it.

We felt that we would be misinforming the public if we published a figure that we were not completely satisfied with. Therefore we had long discussions with our external auditors and the provincial auditors to convince them that the most appropriate approach was not to publish a figure this year because it would be misleading. In actual fact, our unfunded liability is the \$400 million contained in the memo that I read this morning as opposed to the \$300 million which you correctly added from page 10, plus footnote three. If I may reiterate the final paragraph of what I read this morning, I said if this allowance is not reduced, and this allowance is the additional 11 cents per \$100 of payroll, which is included in the assessment rate, in addition to those moneys required to meet the cost of 1976 accidents, so that there is a surcharge if you wish, if this surcharge is continued for a period of 20 years, we will have retired our present unfunded liability computed on the basis of a wind-up, which is the situation you are referring to.

Mr. McClellan: In other words, the deficit position would gradually be reduced.

Mr. Neal: It will be reduced each year.

Mr. McClellan: But still, each time there is a legislated increase, we cut back into the reserve fund.

Mr. Neal: And we will have to put a further margin into our assessment rates at that time.

Mr. McClellan: And open that gap again.

Mr. Neal: We have, I might say, considered the possibility of prejudging amendments and perhaps saying that increases in benefits due to anticipated future inflation which, of course, is also reflected in our investment returns, which are much higher than they would be if the market did not assume there would be future inflation—we have considered the possibility of either reducing our rate of discounting for our liabilities or, conversely, assuming a five or six per cent per annum increase in benefits, say, but at this point we have considered that as not appropriate.

Mr. McClellan: Maybe I should direct my question this way: Aren't you concerned about the size of that particular deficit if you are trying to run the thing on insurance principles? And wouldn't that lead you then to question the adequacy of the assessment rates?

Mr. A. G. MacDonald: The assessment rates, we have already predicted, will be increased to speed up the recovery that Mr. Neal has just described as being accomplished with the present rate over such a long period. We will be increasing the rates more rapidly to make that recovery.

Mr. McClellan: I hope so, because it is very important to us—just so you will understand the basis of the concern—it is very important to us in this party that the insurance principle be maintained.

Mr. A. G. MacDonald: We have predicted to industry that there will be approximately a 15 per cent annual increase for the next several years.

Mr. McClellan: I don't think, if I may, that the assessments are adequate enough or, in fact, that the assessments are high enough. There's the additional argument, of course, that assessments ought to be sufficiently high that they hurt as a positive disincentive to unsafe work practices. Both on the grounds of responsible financial management of the board and by way of encouraging employers to really be serious about industrial safety, I think that the assessments need to be raised.

You have to understand that the Legislature is going to be insisting during an infla-

tionary period on regular cost-of-living increases and there are only a limited number of ways of raising the revenue. You can't take it out of your reserves. You are either going to have to take it out of assessment or you are going to be in the position of having to come to general revenue to supplement the thing, and we don't particularly want to see that happen.

Mr. A. G. MacDonald: I believe Mr. Neal wants to make a comment.

Mr. Neal: Since I arrived at the board, we have instigated a programme where we talk to employer associations twice a year; during these discussions we have attempted to explain how we set our rates. Many of our employers, we are pleased to say, understand the concepts without necessarily the fine mathematical details. Most employer associations are saying to us, "Provided you do not increase the assessment rates year over year too rapidly, we are in complete agreement with you that the present level is inadequate. But we all recognize that the Act has its burden of one generation of employers with another, and we feel that it would be inappropriate to accelerate the rates over a very short period of time; we consider that we should be phasing in. But we would look for, perhaps by 1980 or 1981, all unfunded liabilities to be retired over a period of less than 10 years." Industry is in complete agreement with us on this matter.

Mr. McClellan: I'm sure they are. I'm not satisfied that that's adequate.

Mr. Neal: That unfunded liabilities should be retired over a period of up to 10 years?

Mr. McClellan: No. The converse.

Mr. Neal: That 20 years is too long?

Mr. McClellan: Yes.

Mr. Neal: We and industry are in complete agreement with you.

[3:30]

Mr. McClellan: Let me drop it at this point, because there are some time constraints. I may or may not pick it up again, but I appreciate the opportunity to look at this.

Mr. Chairman: Mr. Riddell is the next speaker.

Mr. Mackenzie: Mr. Chairman, on a point of order. I'm seeking a clarification as a result of a question I asked last night about

the shortage of claims officers in the Hamilton area and that there was a problem in that particular area. I was pleased this morning to have Dr. McCracken tell me that they would be appointing two new claims officers immediately in the Hamilton area. What disturbed me was to hear from the press a short period later that the Chairman of the board, Mr. Starr, denies that any appointments are going to be made in the Hamilton area. I would like clarification on that particular point.

Mr. Kerr: I believe that you meant me, sir, rather than Dr. McCracken.

Mr. Mackenzie: Yes.

Mr. Kerr: I reported yesterday that we had four over there. On checking this, when I went back to the office this morning, I learned that we are sending two more over because of the work load. Right now we have 71 claims in that area that are waiting for investigation, and we are sending two additional claims investigators over there to help clean up. I also mentioned that we had vacancies which we are filling over there. I don't know if my words were misconstrued or if I didn't do a good job on communication, but that's what the story is. We have vacancies to be filled and we are sending two people over there to help clean up the backlog.

Mr. Starr: I have already explained to Mr. Mackenzie verbally and personally, but maybe for the record I should say that I received a phone call from a radio station. They asked me if we were going to increase the staff at the Hamilton office. I said that to my knowledge there were no plans to increase it, but if vacancies occurred then we would certainly offset them immediately.

Mr. Mackenzie: I was happier this morning. I clearly understood that it was an increase of at least two claims investigation officers.

Mr. Starr: The two claims investigation officers are going there to help clear the backlog, but they are not going to be there at all times.

Dr. McCracken: Mr. Chairman, just for some further information to the member, I received a telephone call from CKOC about this. I told the reporter that to my knowledge I had not entered into conversation with you about this, but I was sure that when you were talking to him you must have been referring to Mr. Kerr; so he got that straightened out.

Mr. Riddell: Mr. Chairman, I am going to be very brief. I did indicate this morning I would relinquish my time to the leader of the official opposition because I know that the schedules are very tight that leaders follow.

I just want to indicate that I am not going to be so quick to condemn the staff of the Workmen's Compensation Board. I have found that the administrative assistants are generally quite co-operative, although I realize they are really only the liaison between the persons who are actually handling the files and those of us who inquire from time to time about a particular file.

I have found, however, that there is an attitude of indifference and complacency on the part of the people on your staff who are handling the files or processing the claims. The attitude seems to be that they're working with files and not with people. There doesn't seem to be any feeling towards people at all and the suffering that they undergo while waiting for a decision as to whether their claim is going to be approved or denied.

It also seems to me that the files are only looked into when a complaint comes in from, say, a member. When we complain about a certain person's problems, we will get an answer. But then, it seems to me, the file is then tucked back in to the drawer again; there's no follow-up until we phone two or three weeks later, or a month later, as the case may be, and then they pull the file again. This is why I say there certainly seems to be an attitude of indifference and complacency.

Just to give you an indication of that attitude, I am going to read parts of a letter that I sent to Mr. Starr because I was really annoyed about a particular claim by one of my constituents which had its beginning back on July 16. I indicated to Mr. Starr: "I am once again writing to you to bring to your attention the manner in which a claim by one of my constituents was handled by your staff. It took them more than four months to decide that my constituent was not eligible for compensation. While the board was casually coming to a decision, Mr. Jim Taman of Goderich, exhausted his funds and experienced extreme anguish because he is unable to work. He has a wife who had undergone major surgery recently, who has only one kidney, had a bladder removed and has a retarded son, as well as two other children that must be provided for. Mr. Taman received \$145 every two weeks from the municipality, and on this he must feed his family, provide medication for

himself and for his wife, whose medication bill is enormous, and pay off a mortgage.

"The manner in which your staff handled this claim is absolutely inexcusable. They were apathetic and indifferent. It was just another claim, another file to be handled. It did not occur to them that this was a man who happened to be ill and unable to help himself, who not only suffered physical pain but mental anguish because he cannot provide for his family, a sick wife, and is about to lose his home because he cannot keep up the payments on his mortgage.

"The person in your office, whose name the Tamans unfortunately did not get, was quite huffy in Mrs. Taman's words, when he advised them that the claim was denied. He would not tell them the reasons for the denial, but said they will get a letter and so will their MPP. I must say, though, that Mr. Bill Cziranka and Mrs. Conway have at all times been very helpful."

Are they in the room tonight by any chance? I'd like to meet them sometime because they are quite co-operative. As I say, I am not going to condemn your entire staff because I think there are some people that are good over there.

To continue from my letter, "If the reasons for the denial were well founded why was the file not handled more efficiently? Why was Mr. Taman kept in this uncertainty and suspense? Why did it take more than four months to reach a decision? In previous conversation with your staff, they have indicated that the injury to Mr. Taman's right knee could not have been related to the accident in which the left knee was injured. Yet they treated this claim under the old claim number. The new claim set up was cancelled. They inferred that the injury to the right knee could not have come about gradually. Yet both Dr. Fowler and Dr. Lynch agreed that this injury is related to the original accident and that an injury of this nature can be brought on gradually.

"Both doctors have informed your staff of this. Mr. Taman's own physician, Dr. Lynch, feels strongly that this injury is a result of the first accident and has told your staff this. He admits it is hard to prove. He said that Mr. Taman complained of his right knee shortly after his left knee was operated on and it became progressively worse. Why, if there was such a difference of opinion, did your staff not contact Dr. Fowler to iron out the differences? Why did your staff not get Mr. Taman in to see one of your own doctors?

"It is clear that this claim was not given the consideration it deserves. Because of the length of time and the total disregard by your staff of Mr. Taman's difficulties, I would appreciate anything you can do to have this file reviewed and to give Mr. Taman due consideration and a favourable decision which this claim deserves."

That is just a typical example of how claims are handled in your department. I don't know whether it is a case of the left hand not knowing what the right hand is doing over there, but it seems to me that the claim has to go from one desk to another desk. One of your staff members admitted finally in this particular case that it was definitely neglect on the part of your staff that this went on for four months. The doctors sent in four reports, and for some reason those reports sat on the desk of one of your staff members. That is why I say you look upon these people as nothing other than file numbers. You do not take into consideration that these people are back home suffering, while you people somehow or at some time decide to get around to looking at that particular file and making a decision as to whether he is going to be granted some kind of assistance.

As I have indicated, there doesn't seem to be any follow up. If we inquire as to a particular claim or a file number, we will get a short answer. I have received letters from you, Mr. Starr, in which you acknowledge my letter and you will be getting back to me. There are a couple of occasions on which I am still waiting to get an answer from you as to why a claim was denied or why it's taken so long to process a claim. In some cases, you had one of your staff members write to me and all he indicated to me was that the claim had been denied. He didn't give me any reasons for it being denied and I find that this way of handling our inquiries and the way of handling certain claims is inexcusable. I would hope that something could be done, the process be made less complicated, if that seems to be what the problem is.

Mr. Starr: I am perturbed about the fact that you say you haven't received a reply to letters you addressed to me which evidently have been some time ago. I would be very grateful if you would give me the dates of those letters you wrote and the claim numbers and the names of the persons you wrote about. I apologize if that is the case and I will see that it is done.

Mr. Riddell: I have made a note here that I wrote to you for an explanation on a particular claim. You acknowledged my letter.

Bill Cziranko followed it up enclosing a copy of the denial but to this day I still have not received a reply from you or why in this particular case it took more than two months for the board to reach a decision. I can certainly go back to my files and find out—

Mr. Starr: What was the date of the letter you read now?

Mr. Riddell: I just made a note of this. I haven't got the date here but I can certainly get it for you. As I say, I would appreciate an answer because my constituents are also waiting for me to give them some kind of an answer. If I don't know what the answer is, I don't see how I can give them much satisfaction.

Mr. Starr: I will make sure you do.

Mr. Riddell: Thank you.

Mr. Starr: May I just—I am sorry, Mr. Lewis.

Mr. Lewis: No, go ahead.

Mr. Starr: Your remark indicates that adjudicators look upon a claim as a piece of paper. I want to say to you, in all sincerity, that on the 11th or 12th week of their training period, I am asked to come to speak to them and I have done so now for the past year and a half. I try to point out to them that it isn't a piece of paper—it is a Canadian, an injured worker in Ontario who has a family and that is the basis on which they should look at it and adjudicate. Mr. Kerr has also spoken to them as executive director and he follows the same line, and it isn't a piece of paper and that's not the way they should look at it. They should look at it with compassion for a man who has been injured.

Mr. Riddell: I appreciate that.

Mr. Kerr: May I have that claim number afterwards? I'd like to add that when we run across that, we take prompt action with the individual concerned because we don't want that to happen in the first place and certainly it's not to happen in the second place by the person who is responsible. If afterwards I might have the claim number, I would appreciate it.

Mr. Riddell: Thank you.

Mr. Laughren: Every time you get a file number in this committee, it's resolved. It's a beautiful set up.

Mr. Chairman: Order, please.

Mr. Starr: I suppose what you are trying to say, Mr. Laughren, is that 398,000 claims aren't resolved in a year.

Mr. Lewis: No, I think what Mr. Laughren is trying to say—and I suppose it's fortuitous because it is in a sense what I would like to try to say, Mr. Chairman, through you to Mr. Starr—is that those claims which can be resolved fairly simply and easily—84.3 or 83.4 whatever the percentage was which was used here this morning with Mr. Godfrey—those kinds of claims do get resolved because although they are terribly serious for the injured workman, they involve no severe complications in their adjudication. Those many thousands of claims which involve complication seem to create enormous difficulties at the board.

Mr. Starr, to you through the chairman of the committee, I have no doubt that when you speak to the eventual claims officers and employees of the board, charged with important responsibilities, in the 11th or 12th week of their training, you do it with the best intentions in the world. I have no doubt that Mr. Kerr does exactly the same. But somewhere, Mr. Starr, there is a serious breakdown and I can only assume that it is at the senior administrative levels of the board because somehow attitudes have to be transmitted to the working staff. They do not acquire them themselves.

[3:45]

I really don't want to fight with you today. I feel in an adversary position the moment I walk in the room because, like every other member of this Legislature, I am pretty emotionally pent-up about some of the things which we run into where the board is concerned. I don't know whether I can reach the Chairman of the Workmen's Compensation Board through the committee but if I can, and with as much genuineness as I can muster, I want to say to you that between the working level of the board and the Chairman, there is a breakdown.

It doesn't exist in the senior appeals areas where much of the most scrupulous re-adjudication occurs but somewhere in the administrative bureaucracy of the board, attitudes are conveyed which are destructive of injured workmen. It is possible, I suppose, for the Chairman of the board, Michael Starr, to feel that New Democrats are congenitally addicted to criticism of the board and of the government. But I want to remind you that there are a great many Liberals in this committee and Tories in this committee who have the same qualms.

The description which Jack Riddell raises with you in the letter he was forced to write; the extremely fine letter which Hugh O'Neil wrote to you—the Liberal from Quinte—documenting his enormous frustration on individual cases with the board; all of the material which we convey to you, day in and day out—and I am sure government members do, too—dealing with delays; dealing with frustration; dealing with matters of benefit of the doubt; dealing with cancellation of cheques without advance notice to the workers; dealing with this whole multiplicity of issues which parade themselves time and again, year after year, at this committee surely it must make you stop and think that not all of the members can be engaged in a vendetta? Not all of the members can be given to error? They must be speaking to something which is real and what is real is an area of insensitivity in the Workmen's Compensation Board which makes it difficult for the board to respond to more awkward or complex cases. It's really a matter of attitude. It's the way we come at things.

When you opened these hearings yesterday morning, Mr. Starr, through the chairman, you said on page 6 of your report that the cost of compensation claims continues to rise; then you said, "Part of this trend is due to legislative benefits increased in prior years particularly those that have retrospective features; part is due to the impact of inflation but it is also a fact that the average length of disability has risen from 26.8 days in 1973 to 33.2 in 1975."

"I am not suggesting there is an increase in fraudulent abuse or malingering but I would suspect that attitudes towards work and social benefit systems, such as compensation and Unemployment Insurance, have changed in recent years and that today's benefit levels have reduced the economic pressures of earlier times." The first time I have ever heard you speak as a Tory. It's almost refreshing that you can discard your dispassionate guise and emerge with political convictions. I have no objection—my God, you are entitled to them—

Mr. Starr: It's realism.

Mr. Lewis: —but were I and my colleagues coming to these realities, we might look at other matters. We might say to ourselves that since 1973 there has been a phenomenal emergence of the union of injured workmen; of injured workmen's consultants; of all kinds of groups, all over the province, finally fighting for people and getting them the rights they are entitled to.

Since 1973, as a result of legislative debate, the awareness of entitlement has improved appreciably, considerably, across the province and people are now getting from the board what before they could not receive either as a result of the board's behaviour or as a result of their own ignorance. Since 1973, the agreement to compensate for industrial and occupational health claims has accelerated at an unusual rate and obviously, therefore, when it is averaged out these prolong the length of the claim.

In other words, I suppose one could say it's not likely to be malingering; it's not necessarily fraudulent abuse—maybe it's attitudes towards social insurance but maybe it's something else. Maybe the public is aware, as a result of the previous failures and obstructive behaviour of the board, what they are entitled to by the whole range of champions who have emerged across the province, not legislators but groups.

Mr. Starr: And section 41.

Mr. Lewis: People like my colleague, Tony Lupusella, of Dovercourt, who performed that function before he ever entered this Legislature. He spent most of his life battling with the Workmen's Compensation Board on behalf of injured workers. That is a reality to which you do not allude, because that is a perspective which your board finds it difficult to concede.

Let me try to put it in more specific terms. I sat here yesterday and listened to my colleague from Dovercourt document the case of Carmelo Longo, and I listened to some of the questions that were asked about the time and where the adjudication level occurred and so on. I didn't hear it in those terms at all. We weren't reaching the people in the board. When Tony—forgive my familiarity—when my colleague from Dovercourt was talking at levels of entirely different perception what he was saying, as I heard him, is that it is almost immoral for seven years to lapse over that kind of claim. What I heard him say was that there were biases built into the board in the way in which it looked at the injured workman.

Come now, Mr. Chairman, board consultants who talk of malingering when they have got psychiatric reports talking of hysterical and psychogenic disorders. Really, Mr. Chairman, you have to ask yourself about the attitudes of the board. I heard Tony Lupusella talking about an Italian worker whom the board looked at, to use Jack Riddell's phrase, as a case file, never quite understanding the context in which the

man found himself and therefore always nit-picking, always begrudging, always reluctant to give him his due, until finally it had to go to the ultimate appeal, and then he won, more or less. He was still denied the 100 per cent he is entitled to, but he got a little more.

You have to ask yourself, what is it about those attitudes in the board to which my colleague referred? When my colleague from Hamilton East was talking to you about the coke oven workers and the original claim from Hayashi, he was talking about an attitude. I think—I hope I don't betray you—that you have already indicated to my colleague, Bob Mackenzie from Hamilton East, that you are pretty unhappy at the way that first case was handled.

Mr. Starr: It was a bad investigation.

Mr. Lewis: It was a bad investigation. Mr. Chairman, why was it a bad investigation? If it happens in an instance as profound and as important as that how often does it happen elsewhere? And why does it happen? You have got a case of potential occupational disease in an area which has been a matter of public controversy for several years in Ontario; it involves coke ovens, no less, exposure at a battery plant, and the case is handled shabbily? It's a matter of attitude at the board.

As I heard my colleague from Dovercourt yesterday he was conveying to the administrators of the board, and more particularly to the Chairman in whose hands lies ultimately the right to change it all, he was saying something is wrong with the way you see these injured workers. Because, by God, as a layman, had I been on the board in a senior position and heard of somebody from Hamco in a battery plant which closed down in 1961 who had contracted lung cancer and died in 1966, I would have twigged instantly to the enormous implications that kind of thing has in the light of what we know about everything else in the province. I would have been on that defunct plant for records, for nominal roles of workers, for every scratch and stitch of evidence we could lay our hands on.

Not so, though. Not the way the board works. A very peculiar phenomenon. I don't quite understand it. It all draws vividly for me when I look at Carmelo Longo and when I look at Hayashi, into the range of experience we have. I sat in our caucus room four days ago, with my colleague Tony Lupusella, my colleague Tony Grande, my colleague Odoardo di Santo, my colleague Ross McClellan, and the workers who had been fired

from Premier Picture Frame. I sat and chatted with them as one would normally chat, and I remembered the news stories. I remembered how the owner of the plant had said they were malingering, they were lazy, he had to get rid of them. I remembered how the board largely agreed with his position. I remembered Dr. Bette Stephenson got up in the Legislature and defended that position and I looked hard and toughly around me at those 15 or so workers sitting in that room, talking in their native language, translated along the way, feeling strongly, and I want to tell you, I didn't believe it for a moment. I just didn't believe it, and that may be something wrong with my attitude or that of my colleagues, but I listened to those injured workmen and their spokesman and everything they said to me rang true.

I want to tell you what I believe happened at Premier Picture Frame. They were exploited, they were used, they didn't receive appropriate rehabilitation backup by the Workmen's Compensation Board, you engaged in contracts with an employer whose behaviour and attitudes are entirely suspect, and when found out, you abused the people who had been fired. I really think that is reprehensible.

I want to tell you, Michael Starr, if I may say, if you sit in a room and you listen to those men you know as you are sitting there that they speaking the truth, but because I have to deal in this crazy society where the word of an injured worker who feels strongly is suspect, particularly if he has some difficulty communicating it, I said to them, give me the names of your former employers, where you worked, I would like to check out your employee record. I would like to find out from you who were fired from Premier Picture Frame for malingering and were said by the board and the minister to be workers not worthy of remaining in that programme, I would like to get a sense of what you were before. I assume this is a pattern in life, it doesn't only happen in one plant.

I wasn't able to check out very many of them but I did check out Guiseppe Santa Lucia, who worked for Bruell Paving Limited, summer after summer, and according to their personnel manager did a very good job. It was pointed out to us that there had been no complaints registered against this workman or they wouldn't have taken him back every successive year.

I did inquire into the background of Oliviero Devido, who worked at the Medi Group Masonry Limited for a considerable

period of time before his accident and whom they said there were no problems with, a perfectly satisfactory and good worker, they liked him, up until the accident, when he couldn't be employed. I did track down the case of Antonio Aceto, who worked at Maple Crest Wood Products. The personnel officer said: "He was a good worker, first class; he would still be here if he hadn't hurt his back. We would like him back right now but I know he can't because of his back."

Every worker we were able to track down gets a clean bill of employment health and all of the personnel managers think the workers are good workers. How come, for the rehab officers at the Workmen's Compensation Board and this owner of a small plant in the industrial ghetto and the Minister of Labour, they are suddenly incapable of performing normal employee roles?

I want to tell you why: a matter of attitude; a restless impatient assumption that these workers who had the effrontery to be injured on the job should not have undue attention and support lavished upon them; a hardening of the arteries in the attitudes of the board which I would never have believed possible under the stewardship of Michael Starr. That's why I didn't want to come in here feeling in an adversary frame of mind.

I just find it hard to believe, but somewhere in that board's attitudes there is a vision of the complicated injured workman as a congenital malingerer, a person who is not capable of responding appropriately and a person who is as often culpable as he or she is virtuous. We run into that, Mr. Chairman, time and again and it's a terrible aggravating business. I know when I speak to my colleagues about it and I know what we are constantly encountering. I don't really understand why this need be the case. I imagine that it can be altered but I don't know whether it can be altered.

[4:00]

I want to raise a number of points in succession and I know you will want to respond to them. I want to leave that general view of where the board is and tell you that one of the other things I have recently had the opportunity to do is again to visit Elliot Lake where, every time I go back, new bizarre phenomena present themselves, and in Elliot Lake I want to raise with you, as a matter for the board's serious review, the question of how you now assess the injured worker who is subject to a serious disease from radiation. I want to discuss with you and have you

respond to the question of working level months, because this crazy business of Elliot Lake and the hazards to which the whole population is subject never seems to get resolved, and that population deserves the protection every population in Ontario has.

But you know what has now emerged—and I think the letter is before your board—not only are the workers subject to radiation exposure below ground but apparently a number of them are subject to radiation exposure above ground, in the homes which they inhabit, some of it fairly serious levels of exposure, according to the AECSB, some of it above background level, but clearly complicating the radiation levels below ground.

Then when Homer Seguin, the steelworker representative, wrote the Minister of the Environment, George Kerr, and asked about the fallout factor in Elliot Lake, he learned that in 1965—I'm working from memory, but I'm sure I'm right—there had been a study done by the air pollution control orders and ended up saying the specific alpha activities in the same samples were found to be elevated over the control areas, that is, air pollution shows evidence of dust fall samples and particles which can be considered marginally hazardous, not significantly hazardous, but marginally hazardous. In fact, they have done subsequent sampling in December 2, 1975—it seems silly they would have done it only on one day and felt appeased—but the samples which they took in July 1976 are not yet available to us, and whether or not there is some radioactivity from the fallout is now a matter of conjecture. Then on top of all of that, we learn that in 70 homes at the village of Serpent River, people have been drinking water in which there could well have been radium 226.

So you have four separate sources of contamination visited on the same work force and population, and it is not too much to say that the workers who live in the village of Serpent River—many of whom work at Denison or Rio Algom—are therefore potentially subject to hazard from drinking water, from fallout, from a radioactive fault in the rock formation or in the use of radioactive wastes in the foundations of the home, and in the actual area where the ore body is, and because you have got that combination of factors inducing hazard for the worker, it seems to me that the board should now take a look at the way in which it tabulates its working level months to see whether or not it must compensate for all of the additional environmental contaminants or hazards which have recently come to light.

But something even more surprising to me emerged at Elliot Lake that I want to ask you about and interrupt my own presentation to have you reply for me. When I sat around with the workers in the health and safety committee from Rio Algom and Denison, it couldn't have been more than three weeks ago now, they told me that when they are underground—I'm not telling you anything you don't know, but I am expressing surprise at what I found out—when they are working underground at full salary, they can also get a silicotic disability pension, 10, 15, 20, 25, 30, 35, 50 per cent, whatever it is, over and above their income underground.

When they come above ground as part of the Elliot Lake retraining programme, which you are proud of, and if they take the surface job which is of lower pay, you give them 75 per cent of the differential but within the 75 per cent is absorbed part or all of the compensation they were getting in respect of their disability when they worked below ground. In other words, you take a compensation payment away from them, effectively, which is recognition of a permanent disability if they come above ground and you are tabulating a wage loss differential. May I say to you that sounds so perverse? At first I refused to believe it, then they gave me documented proof, and then I checked it out and found further it was true. Can I ask you (a) why? and (b) by what authority does the board revoke the pension that they are granted? Can I ask you to respond on that, and I have one more matter to raise and the chairman, surprisingly enough, will find me subsiding.

Mr. Chairman: I have made no comments.

Mr. Lewis: I know, but I know what is lurking in your interstices.

Mr. Chairman: I don't even know myself.

Mr. Starr: Mr. Chairman, Mr. Lewis, this was brought to my attention about two weeks ago.

Mr. Lewis: It has been going on for a long time.

Mr. Starr: It was brought to my attention about two weeks ago, Mr. Lewis, and I think that Mr.—are you ready to deal with it, Mr. Kerr?

Mr. Kerr: Yes. I am sorry to have to say—

Mr. Lewis: Just a second. Excuse me Mr. Kerr.

Mr. Kerr: Yes?

Mr. Lewis: Why must Mr. Kerr deal with it? Why can't the chairman of the board deal with it?

Mr. Starr: Because it's an adjudication situation that has been invoked for many years and whether it needs to be changed or not hasn't been decided yet.

Mr. Kerr: If I may, sir, I am sorry to say that this statement you have made is correct.

Mr. Lewis: Why are you sorry to say?

Mr. Kerr: Because I can see from the point of view where we are trying to encourage—all of us trying to encourage—people to come out of exposure employment, and I can place myself in the same position as that individual. Our problem is the wording of the Act, and it will just take me a few minutes if you will bear with me please, so I can explain it to you.

Mr. Lewis: Sure.

Mr. Kerr: When a man is temporarily totally disabled, it states in section 39 that he receives 75 per cent of his earnings prior to the accident—and I use the term accident in lieu of industrial disease or in this case, what we are talking about, to shorten up the words but it still applies—and it also says when a man is receiving temporary partial disability on a wage-loss basis, that's section 41(1), (a) and the employee returns to employment, a weekly payment is 75 per cent of the difference between the average weekly earnings and so on, so the most we can pay is 75 per cent when there is a wage loss and he's performing suitable work.

The other relevant section is section 42, where we are talking about permanent disability and once again it states in effect that we cannot pay more than 75 per cent of his wage loss prior to the accident. So when you put all these together, it means for one disability a man cannot receive more than 75 per cent of his earnings at the time of accident.

Moving away from Elliot Lake for a moment, and then coming back to it immediately, if we have a situation where a man has a back condition, we'll say, and he has been rated at X per cent permanent disability and he has had a recurrence and we reinstate him on full compensation, it's full compensation less his pension for the period of time that he's on full compensation, because we cannot exceed 75 per cent of his earnings at the time of accident for full compensation.

Coming back to our Elliot Lake person, who is on a job at a reduced rate of pay, the same situation applies. The Act says in section 41(1)(a) that we cannot pay him more than 75 per cent of his wage loss and that consists of his partial compensation less his pension, because if we paid him his wage loss plus his pension we would exceed the 75 per cent as specified in the Act. This is the reason that this is applied in the Act.

If a man has a different condition, let's say this chap underground has a pension for some condition not related to his chest, he's had a straight accident of some kind and he's getting a pension for condition A and he's brought out of exposure employment, in that situation we could pay him his full wage loss, 75 per cent of his wage loss, I should say, and he would still continue to receive his pension in his other claim and the big difference there is that we have two claims.

The Act is silent about two claims. The Act applies to one claim. In that situation, because he has two claims for two different conditions and the Act talks about the limitation of compensation in a claim, we do not deduct his pension. That may, on first blush, seem inconsistent but when one reads the wording of the Act, this is what the Act says.

Mr. Lewis: Do you not feel that perhaps it seems inconsistent to the recipient?

Mr. Kerr: I agree. I feel that in the eyes of the recipient, who is being encouraged to come out of exposure employment, it is very hard for him to accept.

Mr. Lewis: Under which section of The Workmen's Compensation Act do you pay a 25 per cent permanent disability claim?

Mr. Kerr: Permanent disability? Section 42(1).

Mr. Lewis: Right, but what about section 3(1) of the Act? Section 3(1) of the Act; part I compensation, section 3. It's just a statement of what you do, right? "Compensation for disability shall be computed and payable from and including" etc.?

Mr. Kerr: Yes, that's for general payment of compensation.

Mr. Lewis: That's the general—

Mr. Kerr: That's the commencement date—"Compensation for disability shall be computed."

Mr. Lewis: Right. What about section 53, the rehabilitation section? "To aid in getting injured employees back to work and to assist

in lessening or removing any handicap resulting from their injuries, the board may take such measures and make such expenditures as it may deem necessary or expedient"?

Mr. Kerr: I would have to ask Dr. McCracken to handle that. It's in his area, rehabilitation.

Mr. Lewis: But is not the wage loss differential part of the rehabilitation section of the Act?

Mr. Kerr: No, sir. Section 41(a) covers your wage loss. Section 41(1)(a) on page 20 of the Act.

Mr. Lewis: I understand that but surely the act of moving a man from—I'd better not say the act or we will be confused—the process of moving a man from underground to surface, the whole purpose of it is rehabilitation? Why are you not able to use section 53 of the Act as a basis for paying the man what he is entitled to? I suppose because it hasn't occurred to people to look at that as an alternative.

Having to deal with the absurdities of legislation every day, I understand the complexities but I do want to point out to you that section 53 of the Act, called rehabilitation, is an open door for this board to continue to pay the man his permanent disability pension. It says—I want to read it: "To aid in getting injured employees back to work and to assist in lessening or removing any handicap resulting from their injuries, the board may take such measures and make such expenditures as it may deem necessary or expedient."

It does not say 75 per cent. It says, "such expenditures as it may deem necessary or expedient." I want to argue with you that it is necessary and expedient, as an incentive to a worker with silicosis or lung cancer, if he is to be moved from the base of Elliot Lake to the surface of Elliot Lake to continue to pay him the pension award to which he is entitled in addition to the wage loss differential.

It is both necessary and expedient. Otherwise it is a disincentive; otherwise, as you would concede, it effectively penalizes someone for moving from a hazardous place of employment to a safe place of employment which, of course, in a word is nuts. That's not what we are trying to achieve. I think I raise it because I really think section 53 of the Act, used with compassion and flexibility, gives the board the avenue to overcome this very serious problem.

[4:15]

It has been going on for a very long time. It's particularly aggravating, however, when you have a programme at Elliot Lake designed specifically to move people to safe areas and you deter them from doing that by taking away a disability pension which they had been granted under another section of the Act which, relatively speaking, has nothing to do with the wage differential. That has absolutely nothing to do with the wage differential. The worker must consider it absolutely bizarre.

Mr. A. G. MacDonald: I think, Mr. Lewis, you should let Dr. McCracken deal with it. The board does recognize that section 53 can be used to supplement the award for these cases.

Mr. Lewis: Then why isn't it used?

Dr. McCracken: I presume that one of the points which has been brought forward in the application or non-application of section 53 pertaining to the Elliot Lake rehabilitation programme is the apparent impact against section 42. I believe that is the concern of the people who must make the decision. On the one hand, section 53, as you point out, is a broad section which appears to allow you to do many things. As a matter of fact, it is applied to people who are on job training programmes, if I may refer to that, in community colleges, et cetera. However, I'm no expert in this part of the Act but I presume that it is the basic impact of two parts of the Act which have been in existence as Mr. Kerr points out, for a long interval of time.

There is just one other point I would like to bring forward about the application of the deduction of a pension. First of all, as you can appreciate, this doesn't apply to the groups on the training programmes because they are receiving full compensation. Bear in mind that full compensation, if they have a pension for silicosis, is made up of that plus the extra amount to bring them up to the 75 per cent level. There is no conflict or problem there.

The only area where there is the problem is with the group of people who are not on an upgrading or a training programme. They're up on the surface and they're working at a wage differential from underground. If they have a pension for silicosis, that portion of the pension is deducted against the 75 per cent differential.

Mr. Lewis: Crazy, eh?

Dr. McCracken: Why should it be that way with silicosis—the fellow comes up and

he has a pension for silicosis; he is brought out of risk—versus the person who has, let us say, a pension for a back condition or his knee or whatever? He comes up on the same programme because he might have had 120 working level months of radiation and he's receiving a pension for his knee—

Mr. Lewis: Back disability.

Dr. McCracken: The pension continues and he gets the differential. The only thing I can say about that is the original concept of this obviously was that if a person is receiving a pension for a given condition and something occurs by which he ceases his usual employment and he requires further treatment or further rehabilitation measures or whatever, they have applied the factor during the interval of time when the pension will be applied against the extra amount they have paid; versus the fact, as Mr. Kerr has pointed out, that if he has a prior p.d. from a knee and he is involved in a back situation, if he requires a rehabilitation programme for his back that has absolutely nothing to do with the pension he is receiving for his knee.

I can only put that forward as the reasoning behind the original—

Mr. Lewis: Okay. I want to tell Dr. McCracken, through you, Mr. Chairman, that I have seldom heard an explanation more unintelligible than that which he just offered. I am not saying that's your fault. The situation is a Catch 22 situation. It is completely surreal in the experience of the worker. The worker doesn't understand these absurdities and there is something really perverse in the administration of the Act.

I don't pretend that what you said wasn't valid and I am sure if I read it again after it's in Hansard, if I read it three or four times, I'll make sense of it. I ask you to go to Elliot Lake and speak before the workers of Rio Algom—you don't even have to rehearse it; just take that little speech and make it to them there. They will throw ore at you on the platform—that is what they will do and they won't compensate you for injury either, if I know their feelings. I don't want to fight with you about it, but I hope that the point is made. I am just trying to make a point.

Mr. Starr: Mr. Lewis, it was brought to my attention two weeks ago.

Mr. Lewis: Good.

Mr. Starr: As I said earlier, we have already issued instructions for the department to come up with recommendations on this.

Mr. Lewis: You're seeking recommendations?

Mr. Starr: Yes.

Mr. Lewis: It will be a godsend if you change it and I really think section 53 gives you the avenue to change it. We just cannot go on any more in Elliot Lake that way, because there's a lot of feeling about it, a great deal of bitterness about it, for all the reasons that you yourself raised, Dr. McCracken, the hideousness of one worker getting the full pension when he comes up and another one having it deducted from the wage differential, and others not understanding why the disincentive should be applied when you're telling them we want you out of the dust area and on to the surface.

You see, Michael Starr, if I may defile your innocence by using your name, it really is again a kind of bureaucratic obsessiveness. It's good intentions from everybody, but people don't think these things through in terms of the effect on the worker as a human being, flesh and blood, who has to understand them, and everybody gets caught up the melange of intricacy and complexity and legal fascination and sections of the Act. You are not going to run into objections from Liberals, Tories and New Democrats in this Legislature if you come to us and say, "We want an amendment which removes this anomaly." Your people have known about it for God knows how long. Anyway, I am glad you are responding as you have. We will keep after it.

Mr Chairman, I don't know what to do. I have one other matter and maybe I will try to deal with it quickly. I want to deal with it quickly, because it's the last thing and it's important.

The chairman of the Workmen's Compensation Board, when he made his opening remarks, dealt with benefit of the doubt. He said that employers feel that the Workmen's Compensation Board is bending over backwards to give too much benefit of the doubt to the employee while heathens and infidels on the left, like the NDP, continue to say that benefit of the doubt is not exercised generously enough. I know "heathens and infidels" wouldn't cross your tongue. I understand. A little poetic licence, Mr. Chairman. Think of your own days as Minister of Labour and the things you said. They were largely unrepeatable, let alone unprintable.

I want to raise with you a case which really brings into stark relief the question of reasonable doubt, because it's a concept I think the board is not paying adequate attention to. Again it comes to attitudes. I want to raise

with you, Michael Starr, and with a great many others, the question of Aimé Bertrand, the cancer of the larynx case in Sudbury, which was fought through for a long time by our colleague from Nickel Belt, our colleague from Sudbury East, Paul Falkowski, of the United Steel Workers and God knows how many others. Can I ask you a question, Mr. Chairman? Have you met with Aimé Bertrand?

Mr. Starr: I don't recollect meeting with him.

Mr. Lewis: You would recollect it.

Mr. Starr: I suppose I would.

Mr. Lewis: Yes.

Mr. Starr: I meet quite a few hundreds of them from time to time.

Mr. Lewis: Do you know the Aimé Bertrand case?

Mr. Starr: Just from what I have read and what I have been told about the case, yes.

Mr. Lewis: Does the case cause you any personal concern?

Mr. Starr: Every case causes me personal concern.

Mr. Lewis: Do you know enough about the Aimé Bertrand case to have asked from your staff a full briefing—apparently not enough to have asked to meet Aimé Bertrand?

Mr. Starr: No, I haven't met Aimé Bertrand.

Mr. Lewis: This is where I don't quite know how to communicate. This is where I am not sure how we meet. Aimé Bertrand stands as a symbol of everything that is wrong with the board, and therefore, I submit to you that you should involve yourself in his case. Aimé Bertrand stands as everything that is wrong with the interpretation of benefit of doubt, and he has been a matter of public controversy, he has spoken on his own behalf, others have spoken for him, it has been dealt with in the Legislature, been dealt with in public forums, it has been talked about by the Minister of Labour and others, and it seems to me that somehow the board should function in a way that the man on your immediate left and the man next to him, and Dr. McCracken and Mr. Kerr should be in your office on a Monday morning at 8:30 saying: "Michael, this Aimé Bertrand thing is a serious matter and you had better take some personal involvement in it. Even

if we are right and the others are wrong, we are going to have to defend the position and you had better get involved." I don't understand why that doesn't happen.

I want to put the case to you, Mr. Chairman, briefly. Aimé Bertrand worked for Inco for 26 to 30 years. During that period of time he was exposed to contamination from every conceivable hazardous substance you would care to name. His primary job in the postwar period was as a maintenance mechanic whose duty it was to cut through the asbestos protective coverings over the roasters and the broilers and the other parts of the operation whenever there was a leak or a breakdown. Aimé Bertrand spent most of his working life engulfed by asbestos fibres; engulfed by them, choking on them, carrying them home with him. If you don't believe me, I invite you to hear it graphically from the voice, or what is left of the voice, of Aimé Bertrand and his wife. I invite you to do that because you are chairman of the board and it is a classic and important case in Ontario.

Aimé Bertrand uses the analogy that every worker uses when you know there is a problem looming. They did it in Matachewan, they did it in the Reeves mine, and they did it in Johns-Manville in Scarborough. Every time you hear a worker say to you, "The asbestos fibres were so thick that when the sun came through the window I could see the particles in the air," then you know you have got a problem, and that's exactly the description that Aimé Bertrand used with me; I don't know how many times I have heard it.

So this man spent his entire life literally in a cloud of asbestos when there was no respiratory apparatus available sufficient to protect him. He wore something which clogged up in 15 or 20 minutes and he threw it away, and for the rest of the eight-hour working day he was exposed. When your board looked at this in 1975 you said that there was no definite evidence and you denied the claim. When it was appealed, you denied the claim, and although the evidence has mounted on all fronts you continue to deny the claim, and I don't understand that. I just don't understand it and I want to tell you why.

In 1973, two scientists in Liverpool named Stell and McGill did two successive studies on the incidence of laryngeal cancer in the ear, nose and throat department of the Liverpool hospital, which was a primary hospital for that disease at that time. They learned to their amazement in their study—and I carry the study with me, should you wish to read it—that in the second and most

important of the studies 31 out of 100 people they looked at with cancer of the larynx had significant asbestos exposure, and they came to understanding that there was a highly significant statistical relationship, so they did those two studies in 1973.

Later on in 1973, in a note in the British Lancet magazine from Molly Newhouse, and I forget the other scientist, there was an indication that a group of asbestos workers they had been following showed two deaths from laryngeal cancer, which isn't many deaths but which was so unusually high when compared to the expected incidence that they felt it was necessary to chronicle it.

Then you will know, Mr. Chairman, that Professor Morgan and P. C. Shettigara, research fellow of the department of preventive medicine, and Morgan, who is the professor and chairman of the department of preventive medicine, in 1974-75 did a study on asbestos and laryngeal cancer in which they, too, showed a striking relationship between laryngeal cancer and exposure to asbestos by dealing with patients in the Toronto General Hospital.

[4:30]

So you've got Liverpool studies, you've got a wider British study, you've got a University of Toronto study, all of them what you call in your trade retrospective studies, showing highly significant correlation between cancer of the larynx and asbestos exposure. All of that is available to the board.

In the same period of time that these studies were coming to light, you had Dr. Ritchie doing your survey of asbestos and carcinoma and coming forward with his various observations, one of which was that although he could not determine at that precise moment in time, in May 1975, that there was a correlation between exposure to asbestos and cancer of the larynx, he thought the evidence was accumulating and that the board should do a study to follow up on it. May 1975; it is now December 1976, you have done no such study, nor has there been any study of any kind in that period of time.

Without belaboring it, you've got scientific evidence, you've got the case history of the man, you've got a letter from Dr. Victor Sicilioni—and I shouldn't have to sing his praises to you—dated February 4, 1976, in which he describes Aimé Bertrand's condition and says that clearly it's asbestos-related. Despite all of that, Mr. Reed sent a letter on October 27, 1976, to Paul Falkow-

ski, saying you had reviewed the world's literature concerning asbestos as a carcinogen and it is the opinion of the senior medical staff based on such review that there is no proven cause and effect relationship between asbestos and laryngeal carcinoma.

It is their further view that the world literature does not support a relationship between the other contaminants relied on by you in your original presentation to the board, and they disqualified the claim. With the greatest respect to Mr. Reed, his information unintentionally misleads Mr. Falkowski and everybody else involved in this case, because in fact the review of the world's literature concerning asbestos as a carcinogen suggested specifically that there was more evidence accumulating on the relationship between asbestos and cancer of the larynx and that further studies should be done. And Mr. Reed, with respect, is taking it upon himself to say that the literature exonerates the board, when in fact the literature instructed the board and the board did not act on the instructions. That's what Dr. Ritchie told you to do and you paid no attention to it.

If you are dealing with benefit of the doubt, I want to know how it is possible not to give Aimé Bertrand the benefit of the doubt. Nearly 30 years of exposure, much of it cutting through asbestos, engulfed in asbestos particles; scientific studies in Liverpool; scientific studies in the United Kingdom; scientific studies in Ontario; medical evidence from reputable specialists who have diagnosed this kind of thing before—I want to know how that isn't a probability worthy of the benefit of the doubt.

I want someone to explain to me what logic there is in talking about benefit of the doubt when you deal with a classic case of this kind and refuse to grant the claim on the basis of all that you've got before you. Because I'm really feeling self-conscious about the time, I'm not even spelling it out, but I would spell it out in a way that would convince you, Michael Starr, that this was an open-and-shut case.

I'm going to take it one final step further. One of the things the board has always said—and the members of the medical community who engage in gratuitous maligning of their fellow members with whom they don't agree have always said; I know that kind, the same kind who disputed Selikoff all these years—what they say is, "These are retrospective studies, they deal with people in a given hospital situation." They look for the evidence of asbestos in their lives,

and then they look at control groups, and they find, "Yes, there's a high statistical incidence, but that's not good enough, give us a prospective study."

What do they mean by a prospective study? They mean, "Give us a study which is following a group of asbestos workers in order to see whether or not we should allow compensation. Give us the kind of prospective study which allowed the Workmen's Compensation Board finally, by dealing with Dr. Irving Selikoff and calling in Dr. Miller of the Cancer Institute, to provide a compensable relationship between gastrointestinal cancer and asbestos."

Do you know the prospective study that is being done by Selikoff? Are you familiar with it?

Mr. Starr: No, I am not.

Mr. Lewis: You are a very busy man, I guess everybody here is a busy man.

Mr. Starr: Well, I depend on those who are—

Mr. Lewis: I understand. I want to tell you I am really shocked by that, not just because it is interesting but because you should avail yourself of this remarkable scientist. Take a day. Colonel Legge used to handle military operations six months a year. I mean, he was always reviewing the troops. I don't know why you can't take a flight to New York to meet with Irving Selikoff. Bruce never had time for the board except at the high table, but you at least are there most of the time—I had better be careful, I am sure he had time for the board; knowing Bruce Legge, he will sue me—I am sure he had time for the board but he also found time to review the troops.

Why don't you ask for permission to go to New York for a day and meet with Selikoff? You know what you will find? Selikoff is doing something called a prospective study. He has the names of 17,600 asbestos workers who worked in the insulation industry in the United States and Canada as of January 1, 1967. He follows them through one by one, year after year, noting the deaths, looking at the cause of death, tabulating relationships.

He is nearly finished for this year. I beg you to get in touch with him when their statistical compilation is complete. I have learned that they have now discovered seven cases of cancer of the larynx in that group already. Cancer of the larynx is one of the rarest of cancers. Some use figures of one-to-50,000; some used figures even higher than that in terms of ratio.

I want to say to you that you're going to receive evidence from that prospective study which will exactly match the retrospective studies and will show you conclusively that in any fair assessment of benefit of the doubt, Aimé Bertrand deserves a pension or a claim acknowledged by this board. But what bothers me about it is the way in which you forced workers literally to grovel before the board to win a claim which benefit of the doubt should give to them automatically.

You made Gus Frobél go through the most unbelievable personal humiliations to persuade the board that the lung cancer he had was as a result of exposure to the uranium ores at Elliot Lake. And you are making Aimé Bertrand do the same thing, and you made the widows of the asbestos deaths in Johns-Manville do the same thing.

I want to say to you, Mr. Starr, it isn't necessary. We are talking about a handful of human beings. How many laryngeal cancer cases do you think you would ever have to compensate? What kind of precedent are you setting? You are not going to annihilate the savings of the board. You are not going to imperil the economic security. Do you know what you are going to do? You are going to err in favour of the injured workmen. You are going to give authenticity to the benefit of the doubt. I beg of you, Michael Starr, don't allow them to make these workers fight so hard to get their just entitlement according to statutory law.

The case you know in 1934, which set out benefit of the doubt, and according to your own regulations—Appendix A—which sets out benefit of the doubt, and according to your opening statement yesterday morning which sets out benefit of the doubt, and according to Bette Stephenson when she runs down to Biloxi, Mississippi, and talks about benefit of the doubt. The principle is enshrined, it is categorical. For God's sake recognize it. If there ever was a case in which the recognition is merited, it is the case of Aimé Bertrand.

I end where I began. The board can't accommodate the Aimé Bertrands, who after 30 years of exposure and the loss of a larynx have to talk now through a hole in their throat. They can't accommodate people who go through their personal horror as a result of occupational exposure.

What about the attitudes to the Carmelo Longos? What about the attitudes to the Hayashis? What about the attitudes to the Premier Picture Frame workers? What about the attitudes of the board generally? What

is it in the bureaucracy of the board which makes the difficult cases discriminatory cases?

That's what we are so angry about, I'm pleading with you—take a look at that Aimé Bertrand situation. Get it settled. Like that. It's straightforward. It's not complex. Then use the principle you have applied as a generous and compassionate human being to every other case which is causing the same kind of delay and complexity and problem at the board because nothing less will do.

I guess I speak for a lot of my colleagues when I say this is just about the last year when we are prepared to come back and plead for what is elemental justice. It isn't you because I know you and I know your open door policy. This is a terribly risky thing to say but please speak to your fellow board chairmen; please speak to your senior administrators; and do something about the attitudes at the Workmen's Compensation Board. I have no further remarks, Mr. Chairman.

Mr. Starr: I think, Mr. Chairman, if Dr. McCracken has anything to say in respect of this particular case or that particular area—

Mr. Lewis: All right. Do you have anything to say about Aimé Bertrand, Dr. McCracken?

Dr. McCracken: No, I haven't about the person you mentioned, Aimé Bertrand, because, as was pointed out yesterday at this meeting, I am on very dangerous ground and so is any of my medical staff if we discuss specific medical material about a specific case in front of third parties. This is in The Health Disciplines Act. The minister mentioned it yesterday. I am unable, therefore, to discuss specifics relating to this case but I can talk about some of the general points which you made.

Mr. Lewis: Dr. McCracken, you didn't have the same sense of medical propriety when you were asked to quote to the press about Aimé Bertrand.

Dr. McCracken: I'm sorry but I never quoted to the press anything about that individual. I made it very clear to the press reporter—

Mr. Lewis: You were quoting about cancer of the larynx generally?

Dr. McCracken: That is correct. That is very correct.

Mr. Lewis: Okay.

Dr. McCracken: First of all, about the studies which have been done: They are not

retrospective studies in the true sense of the word; they are what is called case control studies. The only person I know of who has a prospective study is Dr. Selikoff. The studies by Stell; the subsequent small study by Newhouse; the study by the Toronto group have all been evaluated by Dr. Stewart, by me, by other members of my medical staff; by Dr. Ritchie, by Dr. Miller and by one other consultant who will remain nameless. They are all of the opinion that, for the present time, these studies cannot be accepted as demonstrating true causal effect. They are suggestive but that is as far as these people will go.

Mr. Lewis: Dr. McCracken, I want to point out to you how you use language. This is not a case of proving true causal effect. This is a case of benefit of the doubt.

You are not, Dr. McCracken, I say to you, in a court of law. You are with the Workmen's Compensation Board where benefit of the doubt is a flexible social principle to be applied for the benefit of the injured workman. Don't you talk to me, with respect, about true causal effect because then you show, "I am pleased that emerged"; then you show exactly what's wrong—the corruption at the board. When you talk about true causal effect, you are asking workers to come before you and prove beyond the shadow of a doubt that there is a cause and effect relationship between the exposure and the disease. That is not your mandate. Your mandate is to find benefit of the doubt.

The minister went down—I just want to find this stuff—to Biloxi, Mississippi, and she said and I want to quote it because it's serious: "If the board were to insist on a claimant proving his case, even with the benefit of the doubt concept, it could make a mockery of the entire purpose of compensation for workplace-related conditions."

[4:45]

I really want to put to you, and I ask you to read that Mississippi speech, that what Dr. Stephenson is saying is all of it errs on the side of the workman. Don't talk to us about absolute causal relationships because no one can establish them. But I know how it is in those necessary coteries where the medical people get together.

Margaret Campbell nods her head, and in a sense it reassures me, because you have seen them and worked with them.

Mrs. Campbell: Yes, I have.

Mr. Lewis: They come together and they rub shoulders. I have great respect for some

of them so I feel equivocal. But you kind of nod and say, well, because if you know Stell and McGill, people have qualms about them. Morgan and Young. Morgan, you know, at U of T, who knows about his study, talked about smoking and talked about how many of the men were married. That was Dr. Stephenson's reply in the House. She talked about the marital ratio—ha! Talk about scientific expertise. And then there are people like Shettigara and Newhouse. We don't really want to give them too much credit.

It's not good enough. That's not the job of the board, Mr. Starr. That's not the job of the board. The board does not look for true causal effect. The board looks for what you put to us yesterday morning and what G. W. Reed, QC, vice-chairman of appeals, put in his speech on the benefit of the doubt principle to the Law Society of Upper Canada special lectures.

Let me read it to you: "In keeping with this philosophy, the benefit of doubt principle in favour of claimants is applied at all levels of decision-making at the board. Benefit of doubt for compensation purposes means that it is not necessary for the employee to adduce conclusive proof to support his claim for compensation." He does not have to adduce true causal effect. He only has to adduce benefit of the doubt. That's Mr. Reed. Okay, I don't want to deal with it any more. I just want to leave it there.

Interjection.

Mr. Lewis: People at the board would ask me where he ran.

Mr. Gaunt: I wanted to make a few comments with respect to the appeal system which operates within the board. I have spoken on several occasions about this matter. It's of concern to me. I think Mr. Reed has been trying to streamline the appeal system as it's set up. But I put to you that the appeal system is unnecessarily lengthy. It isn't doing the job for which it was set out, and I think the appeal system which the task force envisaged certainly isn't being fulfilled at present.

I made a speech in the Legislature back last April about it, because I think at that time it was an accumulation of evidence which I had which certainly suggested it, and a lot of it was my own evidence, because as you know, I handle many of the compensation appeals from my area. I do it personally, I've always done it because I

feel it's a function of members to do that kind of thing.

Last April we were undergoing a delay, if one takes it from the beginning of the appeal system through the entire machinations, of something in the neighbourhood of 34 weeks. In my view, that's a violation of the natural justice of the worker. I think that's just unnecessarily long. I know the board was aware of it, they were conscious of it, and I believe there's been some improvement in that, but I'm suggesting to you that the ultimate solution is to scrap the three-level appeal. I don't think you're ever going to resolve the problem unless you do.

Mr. Starr: I don't know whether Mr. Reed may want to say something about it—he's the vice-chairman of appeals. You were quite right, the backlog has been decreased tremendously and I think that the two new commissioners will help it a great deal more. We're hoping with the beginning of the year that the appeal board—at least a panel of the appeal board of three—might do some sittings outside the city of Toronto in the various centres throughout Ontario. But we have had a heavy backlog, and a lot of that backlog hasn't been able to be cleared up because of the cancellations that come at the last moment; and, of course, the two hours that are set aside, or whatever time is set aside for the hearing of that claim, is completely lost because you can't substitute another one in its place at that time. But we are gradually overcoming this, and we hope to see daylight in that respect pretty soon.

Mr. Gaunt: May I ask what sort of delay the board is experiencing now, if one takes it from the beginning of the appeal stage right through to its ultimate?

Mr. G. W. Reed: Can I give you these figures to start with? At the appeals examiner level, the scheduling of cases in 1975 developed such that it was taking well over three months to schedule an appeals examiner inquiry in 1975. As of December 10, 1976, we're now scheduling appeals examiner inquiries in four weeks, which is certainly a considerable improvement.

On the appeal board level the scheduling at the present time has been reduced from three to two months, and it will certainly be reduced more because we now have two new commissioners and we're now in a position to use, and have been using, three panels from time to time in order to clear up this backlog. There's no question in my mind that with the additional two commissioners, we're going to have a significant improvement here within the next couple of months.

The problem has been not so much the system as the sudden increase, the dramatic increase in volume over 1975. Just to give you a comparison, at the end of September 1975 we had had 1,247 appeals at the appeals examiner level; at the end of September 1976—for the equivalent period—it was up to 2,320; an 86 per cent increase in appeals at the first level. We have had an equally significant increase in appeals at the appeal board level. Taking it up to the end of December, there were 619 in 1975; there have been 1,363 for the same period in 1976. But despite that significant increase, we have been able to reduce considerably the time at the appeals examiner level and also we are quite confident with the addition of two commissioners that we will be reducing the time lag at the appeal board level.

We have had another problem and that is with the administrative time lag in getting dictation and that sort of thing done. That has been a problem with this dramatic increase in the business. We have obtained authority and we have hired five new additional secretaries in order to try to cope with this problem of administrative lag.

On the question of summaries of information there is another problem. In 1975, at the end of September, we had produced 444 summaries of information. At the end of the same period, September 1976, this had been increased to 801. Despite that we have reduced the overall time lag and the time it takes to get a summary out. We are in the process of hiring one more appeals administrator in order to devote more time to the preparation of summaries.

What I am saying to you is we are endeavouring to cope with this tremendous increase in volume. I think we are coping reasonably well but there is certainly still room for improvement.

May I say one further thing? We are presently having a good look at the appeals structure which came into effect following the task force recommendation. We are anticipating that recommendations will be made to the board in connection with the overall structure of the appeals system early in the new year. We were examining the structure quite closely and we will be making recommendations early in the new year with respect to the overall appeals structure.

Mr. Gaunt: Perhaps, in that context, my comments will be appropriate. May I go back for a moment? You mentioned about the delay with respect to appeal examiners. It was two months, now it is four weeks. I can tell you that I have one for which I requested

an appeal some two months ago and I still haven't got a date for that appeal.

It has a way to go yet, with respect, Mr. Reed. I suggest to you that I know you are trying to work it through and trying to improve it but it is still around the two-month level, at least insofar as mine is concerned.

Mr. G. W. Reed: Excuse me, Mr. Gaunt, is that for a hearing? Where would the hearing be held in this particular case?

Mr. Gaunt: I indicated to the board that we were quite prepared to have it here in Toronto. I come down every week anyway and the person can come down with me.

Mr. G. W. Reed: I don't understand that. I would have to look into that one because I am talking about Toronto inquiries. There is a longer time lag for cases out of town because we have to wait until a certain accumulation of cases builds up in order to warrant sending appeals examiners out. I was talking about Toronto inquiries and if this was to be in Toronto, I don't understand what you are telling me. I would be glad to look into it for you but I don't understand it.

Mr. Gaunt: Okay. Let me clarify that because the last time I was talking to your man at the board, Bill Cyrinka, he said, "Would you prefer that this hearing be held in London?" I said "I don't really care. If it is going to be set up in the next month or two, certainly London is closer than Toronto." On the original request I had asked for Toronto. He indicated to me that perhaps members of the board would be sitting in London in January, I think he said, and perhaps it could be scheduled for some time during that month. I haven't heard back and I feel that is a rather long period.

Mr. G. W. Reed: Will you give me the claim number when we are finished here?

Mr. Gaunt: Yes. I don't have it here but I can give it to you. I can call you tomorrow morning and give you that claim number and see if it can be set up. If one is talking about going through the appeal—if we lose at this stage I am quite prepared to appeal it to the next stage. By the time we get the matter resolved we are talking about perhaps May, certainly next spring. This is a lady whose husband died on the job—she is a widow—and I don't feel that she should be subjected to that kind of delay.

[5:00]

May I move on with respect to the present appeals system? You have indicated that you are reviewing this matter and there will be a report, I think you said in January of this year, which you are going to be taking a look at with respect to changes in the appeal system. Let me put this to you: Do you not feel it would be better to go to a one-level appeal system with the ultimate appeal to the corporate board on matters of policy or where the decision of the commissioners is a split decision?

I don't like this business the way it is set up now of these things being ghosted. The commissioners review the file and then it is turned over to someone else who prepares a summary, and then the decision is ghost written, as I understand it. My feeling is that if it were a one-level system, these commissioners would be highly qualified people, as they now are—I know you have some very qualified people—but these would be specialists, specialists of the highest order, and they would be appeal experts, operating on a one-level system.

It seems to me that under those conditions they would write their own decision. I think there is some merit in that, because I have a feeling that along the way there is something lost in the translation when you have somebody else doing that kind of work and ghosting those written decisions. It seems to me that the process would be speeded up tremendously, and at the same time there would be no sacrifice with respect to any of the advantages of the three stage appeal.

Mr. G. W. Reed: If I may respond, one of the criticisms and one of the things that we have been looking at is the present process whereby the field examiner conducts the inquiry but a single commissioner issues a decision. That is clearly one of the criticisms we have had to take a long hard look at, and we will be making proposals with respect to that particular situation.

With respect to your suggestion for a one-level appeal system, without commenting at the moment on it, I would merely point out that under our new process of screening every case that comes into the appeal system with a view to trying to make a decision from file, without going through any hearing, or secondly, in certain matters sending it up to appeal boards directly so that the intermediate level of appeal is skipped with respect to that—and we are doing that in about 25 per cent of the cases now that are coming into the appeal system—that has met with considerable criticism from the trade union representatives, who are very

strongly supportive of the two-level appeal system. They are very strongly supportive of that.

Without going into the merits, that is one side of the picture. On the other hand, the employers tend to favour a one level appeal system rather than a two level.

Mr. Gaunt: I don't hold any brief for the employers. All I am trying to do is set up a mechanism where these things can be dealt with quickly and effectively. If that means having a two-stage system, fine, but I just think 34 weeks to run through the system is unduly long and is a violation of the natural justice afforded the worker in these cases. If we can do it with a two-stage appeal, fine. It seems to me we have got to come up with some better mechanism by which we handle these things, because it is just too lengthy and it causes too many problems for the claimants while they are sitting back, biding their time, waiting to get on stream for an appeal.

Mr. G. W. Reed: We are certainly looking at the system from that point of view, Mr. Gaunt, I assure you.

Mr. Gaunt: There is only one other matter that I have and perhaps I can address it to the Chairman. As you know, I had an appeal with respect to this matter of exchange farm labour, where one farmer exchanges with another farmer and the farmer gets hurt on the other farmer's property. No money changes hands, it's a fair value exchange, and we got turned back on that appeal as you know. I had some communication and discussion with the board at that time because I felt that there was an unfairness inherent in that situation.

I argued that, in terms of the Act, the farmer who was injured on the second farmer's property was under the terms of the Act and for its purposes an employee, but that argument didn't sell before the board. I am wondering if there has been any resolution to this problem—and admittedly it's a very difficult problem. Where a farmer doesn't take up the option to cover himself, where he isn't covered himself, it's a difficult problem because no payment goes into the board for the coverage, and even if there were, in the case of the two men involved in this instance, the person still wouldn't have been covered because he was hurt on the other farmer's farm.

Mr. A. G. MacDonald: No, that's not true.

Mr. Gaunt: Isn't that so, Mr. MacDonald?

Mr. A. G. MacDonald: If he had coverage for himself and he had gone to the other person's farm, he would have been covered.

Mr. Gaunt: He would have been covered?

Mr. A. G. MacDonald: Yes, if he had coverage for himself.

Mr. Gaunt: All right, but aside from that, has there been any resolution at the board level of this problem? As I suggested to you before, I think it's going to be a situation that's going to recur more frequently all the time, and as far as I am concerned I think eventually we will appeal this particular matter further. The farmer at the moment hasn't seen fit to take my advice on that point but I feel ultimately he will, because I am sure that he's going to have trouble with that hand in later years and unless he establishes his claim now he is going to be out in the cold.

Mr. Starr: The problem in the farm situation is that we have some 83,000 farmers in the province of Ontario and only about 23,000 of those farmers are covered by the Workmen's Compensation Board. Those who hire employees, automatically, by law, have to have coverage although he needn't necessarily have himself covered but he can upon application. Those who do not employ any employees on their farm can also apply by application for their own coverage and probably a wife and probably a son who may be helping on a farm. They can do this and we try to encourage them to do this as much as possible. We have only got about a quarter of them covered really in the province of Ontario.

Mr. Gaunt: I think there is a problem with the rates. They feel that the rates for coverage is rather high and, without commenting on that, there are a lot of them, as you point out, who are prepared to take the risk. It seems to me that if that farmer had been hurt on his own farm, then I think the case is quite valid for denying the claim because he didn't pick up the option to cover himself in his own work place, but where he was injured on the other farm and was actually acting in the role of an employee in that situation—

Mr. Starr: Without application for coverage.

Mr. Gaunt: Yes. Without application for coverage. That's the point. But then there were other circumstances which militated against that because the second farmer, on whose farm the injury took place, did give an estimate of his payroll for that period which

indicates that he does hire additional labour throughout the year.

My feeling was that in a sense the first farmer was an employee on the other farm. However, I don't want to take the time of the committee. This is a matter we are going to be dealing with in the appeal, I'm sure, and we can work it through the appeal system. All I want to know is has there been any shift or any change in the board's attitude in dealing with this matter and how it handles these very difficult exchange labour problems insofar as farmers are concerned?

Mr. Starr: We will review it.

Mr. Gaunt: You will review it? Okay. Thanks very much.

Mr. Warner: Before I begin, I have one point of curiosity which perhaps someone can clear up for me. Am I correct in assuming that the Workmen's Compensation Board had created an ad for television and during the filming of that ad the stunt man was actually injured?

Mr. Starr: We didn't. No, we didn't. The Ontario Construction Safety Association on its own made the arrangement. We only fund it and finance the budget, but it is the one which make the decision in that respect.

Mr. Warner: He would be compensated, would he—the stunt man who was injured?

Mr. Starr: I don't know whether any claim came through.

Mr. A. G. MacDonald: We are not aware of such a claim.

Mr. Warner: Okay. Fine; Perhaps it will come to your attention later. What I'd like to do over the next few minutes is to draw on my particular experience with the Workmen's Compensation Board from perhaps a different background than what you have heard from the others.

Mr. Godfrey, who spoke earlier, obviously has some considerable background in some respect and you have heard his approach to it, based on his knowledge and experience. I came to this whole business quite fresh and without any background, as a new member of the Legislature as of September 18, 1975, I had had no experience with the board and had never dealt with the board in any way.

I had had no personal claims and hadn't worked to the extent that Mr. Lupusella, my colleague, had worked. He obviously had spent a great deal of time and had gained the respect of many people in our community in

working with people. I had none of that at all.

I approached the board very fresh and open. When the first person came to my constituency office with a complaint about the Compensation Board I said, "Fine. We will pick up the phone and phone them and see what we can do." That's the way I started.

The cases mounted. We worked with them as best we could until I reached—I want to read to you a note that I left for my secretary on Wednesday, September 8, 1976; I will go back and explain the case, "Lynn, still no money. Not even a regular cheque. Either a satisfactory answer and the money or I will call Mr. Starr and raise hell, and I will camp in his office until I get the cheque."

There it is, a year later. I started out naive, obviously; fully trusting and open, wanting to think that I could pick up the phone and call people and get things settled. A year later, I'm moved to such anger that I'm going to come to your office and sit there until I'm handed a cheque.

[5:15]

I'll tell you why. I had a gentleman come to my office whose claim had been dragging on for over three years. He said "We now have a new member in our riding; maybe he can help me." He laid out his case. This is the letter he wrote and this is really the essence of the whole thing:

"I received 50 per cent permanent partial disability and 50 per cent temporary disability prior to May 15, 1975. I then received 50 per cent permanent partial disability between May 16, 1975, to September 18, 1975." Then they put him back on full compensation. So he had been on full compensation, cut to 50 per cent, and back on full compensation.

"During this entire period of time, from prior to May 15 to date, my physical condition has not changed, except for a gradual deterioration as stated by Dr. Grosfield in his report which was sent to Workmen's Compensation Board, dated March 4, 1976.

"In my view there is no justifiable reason for the financial penalty which was placed on me during the period of time from May 15, 1975, to September 18, 1975. I find the decision rendered by the claims review branch on April 14, 1976, not to be fair or just. I request an appeal." We launched the appeal; went to the appeal and presented the same information again plus an additional report from the doctor—who, by the way, was quite upset with what had happened. He got the impression that people didn't believe him. He

had submitted medical documents and people did not believe him.

On July 29, I got a letter back but there is no point in reading all of it, just the last paragraph: "The board, having considered the information on record and that obtained at the inquiry, finds Mr. Van Veen to be a creditable witness and considering that surgery was performed on November 10, 1975, concludes that Mr. Van Veen is entitled to temporary total disability benefits, less pension, covering the period May 16, 1975, to September 18, 1975. The appeal is allowed."

Mr. Van Veen, your problems are over. That was July 29 and I spoke in haste because as of Wednesday, September 8—I don't know how many weeks that is; all of August, six weeks later—he not only hadn't received the back pay but they've cut off his regular pay. He didn't get any money. For six weeks they didn't pay him anything and it was at that point, after several phone calls and no response, that I left this little note for my secretary.

I mean it—either the money comes or I go to your office and I stay there until somebody puts it in my hot little hand and I can take it back to Mr. Van Veen. I don't know how he survived except through some welfare payments and through some consideration, I will say, from Ontario Housing. I was furious. I don't know how to describe it—I was absolutely furious.

What I would like to impress upon whoever is listening is that I entered the situation as a member of this Legislature with no background, no preconceived notions about how things work, and I have had nothing but discouragement. Do you know what I have to tell those people who come to my office now and sit down in front of me? I mean a lot of people. I guess they are that 0.1 per cent you spoke about this morning. If I heard you correctly, you stated that 99.9 per cent of all those people who come to see you are happy.

Mr. Starr: I was exaggerating.

Mr. Warner: I am seeing the 0.1 per cent that is not happy I guess. What I have to tell them is, "I will do my best to help you. I will do everything I can. I cannot guarantee success because it is going to be a fight but I will enter on your behalf and I'll do the best I can. We may not be successful but I'll make an effort at it."

I have to say that because what we have here is an adversary position. It's an adversary system. Frankly, and it sounds perhaps a little hollow after only a year or so, I'm tired of that. I really am and I can imagine how my

colleagues from Sudbury feel who have been at it for years and years. I'm tired of it, the same as they feel in Sudbury.

Mr. Lewis: They even look tired.

Mr. Warner: It seems to me there's a better way and it seems to me that at some point—I was here when the minister said it was not possible for her to be in attendance today. I appreciate that and I understood the minister to say that she would gladly read Hansard and try to answer whatever questions were raised. I would like an answer from the Minister of Labour (B. Stephenson): Could she tell me the reasons we cannot look at the possibility of entering into a comprehensive worker's health insurance plan and abolishing the Workmen's Compensation Board? I ask if the Minister of Labour—

Mr. di Santo: With the Tories? You've got to be kidding.

Mr. Warner: —could address herself to that. It's not a question for the board obviously, other than that they should comment to the minister. It is a question the minister should look at seriously and I would appreciate it if she could present me with some reasons we can't look at that.

I'm not suggesting that in the next month or so you're all going to be lined up for jobs in Renfrew South—

Dr. McCracken: I don't think so.

Mr. Warner: —but at least let's have an honest look at that. All right, that aside and dealing with the real world, I have some questions for whoever can answer them. Do I take it that the board keeps a record of those companies, those places of work where injuries occur, as to the type of injury and the frequency either in relationship to the total number of work hours or the total number of employees? Is that correct?

Dr. McCracken: Yes.

Mr. Warner: Could you give me the figures for the last 12 months on the frequency of injury which has occurred at the Downsview Rehabilitation Centre? Are those figures available? Does it take some time to dig them out?

Dr. McCracken: I don't think so.

Mr. Warner: While Dr. McCracken is looking for those particular figures, I want to mention the comments of people who have had to come back to the Workmen's Compensation because of a problem, either an appeal or a new claim or whatever.

One, they are upset about having to go through that. They're scared and they really get the impression they are going to be in for a long hard fight.

Second on the list of frightening experiences is going to Downsview and I've had that said to me many times by people sitting in my office. They said, "Please don't let them send me to Downsview." That sounds like somebody pleading in court that they don't want to go off to jail. It really is quite incredible.

I have had people sit in my office and describe for me in vivid detail what their experience has been at Downsview and it's disturbing. That's why I'd like to know the injury figures over the last 12 months or whatever, however they're kept; I don't know.

Dr. McCracken: There is one set of figures which I have here. Injuries occurring while on treatment—our data show there is a greater number of injuries occurring out of treatment than on, but you're interested in injuries occurring on treatment.

Mr. Warner: True.

Dr. McCracken: Injuries occurring on treatment up to September 30, 50; as of that same date one year ago there were 71. This works out that the percentage of injuries occurring while on treatment has dropped from an incidence of 1.41 to 0.97, compared to last year. Of those injuries none was serious enough to require the person to be taken off the programme, discharged from the hospital, sent back to his family physician or transferred to another hospital for treatment. In other words they were mild types of injury—bruises, scrapes, some small lacerations, sprains.

Mr. Warner: Thank you. What is it about Downsview that frightens people?

Mr. Starr: I don't know. We always have at least 460 to 475 people going through the physiotherapy there. It is considered one of the best physiotherapy hospitals in the world. I would invite you, as an interested MPP, to make arrangements to come down at your convenience and be shown through it so you can see for yourself.

Mr. Warner: I'll be there.

Mr. Lewis: It could be the MPP.

Mr. Laughren: That's not an unusual comment from workers. We hear it all the time in the Sudbury as well.

Mr. Starr: I don't understand, I have letters that I honestly am now setting aside that thank us for the treatment they received.

Mr. Laughren: It's the people in the rehabilitation section who sense that workers have to be pushed in order to be rehabilitated.

Mr. Starr: Physiotherapists?

Mr. Laughren: Oh, I don't know what the exact title is, but they feel that workers, if they are going to be rehabilitated to break the cycle, perhaps in their mind at least, of not working, need to be pushed to the ultimate. That's what frightens them, I think.

Dr. Jacobs: Excuse me, Mr. Laughren, but I think this can be specifically answered by Dr. McCracken. I think there was a study done recently with respect to those people who were there and those who were leaving. Is that not true?

Dr. McCracken: Yes, that is correct. Starting this year, we wanted to get a handle on this and see exactly how many patients were fearful of coming to the centre, so we established a patient satisfaction form made up of two parts. In the first part we asked them to check off the boxes when they come in, such as, "Did you have trouble finding the hospital? How did you come? By car? What did you expect you were going to get in the way of treatment? How long was it your understanding you were going to be here? Who told you you were coming?" and so forth. The second part has to do with what happened while they were in the hospital.

I ran an analysis on the survey just recently, and here are some of the figures which might help you. These are figures that the patients, as they come and go, are asked to fill out, but they don't have to, and a certain number have "no response." Ninety-six per cent stated their reception and introduction to the hospital was courteous and friendly, only two per cent felt otherwise, and two per cent had no opinion; 96 per cent felt they were treated with a reasonable degree of respect and dignity while under treatment, again only two per cent felt otherwise; 96 per cent again felt that the accommodation, rooms and meals were satisfactory, only one per cent felt otherwise; 99 per cent felt the treatment areas were clean and well outfitted, one per cent had no opinion, no cases felt otherwise; 96 per cent had confidence in the people carrying out their treatment, four per cent had no opinion, and no cases felt otherwise; 95 per cent indicated they were

able to talk freely to the members of the treatment team, five per cent had no opinion, and again no cases felt otherwise; 85 per cent felt their problems were discussed with them, three per cent felt otherwise, 12 per cent had no opinion; 94 per cent indicated they enjoyed the recreational facilities, four per cent had no opinion, and again two per cent felt otherwise.

Here's the figure that's more significant, I think—again 96 per cent felt that they were able to discuss their compensable condition with the treating physician, four per cent had no opinion, and no cases felt otherwise; 85 per cent were of the opinion that they had a good idea concerning their compensation condition when they left the hospital, eight per cent had no opinion, and six per cent felt otherwise.

So we are attempting to really get a handle on this and, as you can see, there are a small number at the hospital that for various reasons—and we are trying to get at those, and even ask them if they would like to comment on it—feel they are afraid of the hospital or that the hospital is not doing what it should for them.

Mr. Laughren: I did a similar analysis all across northern Ontario, using sophisticated computer techniques, and I found out that 98 per cent of all people in northern Ontario who went to Downsview would rather have gone to Burwash.

Mr. Starr: That represented two per cent who felt otherwise, I guess.

Mr. Laughren: I see, I see.

Mr. Starr: I couldn't resist that one.

Mr. Laughren: But half of them at Downsview come from northern Ontario, as a matter of fact.

Mr. Grande: Could I ask a brief question of Dr. McCracken? Were these interviews or were they questionnaires?

Dr. McCracken: Questionnaires in English, Italian, Portuguese, French. These people were given the questionnaire sheets and they were asked, in their language, if they were not conversant in English, "Would you please look this over and check off the boxes that you think your answers should fit into?"

Mr. Grande: Would it be possible to have a copy of that questionnaire?

[5:30]

Dr. McCracken: Yes. I haven't got one here, but I'll get some.

Mr. Grande: Was the name of the patient on that questionnaire?

Dr. McCracken: Yes.

Mr. Grande: Included on the questionnaire?

Dr. McCracken: Yes.

Mr. Grande: So would you expect any kind of results other than the ones you got?

Mr. Lewis: You mean it wasn't an anonymous questionnaire, the patient's name was on it?

Dr. McCracken: Yes.

Mr. Grande: I'm just asking, would that not be reason enough to be identified so therefore the Workmen's Compensation Board could turn around and say you are not co-operating?

Dr. McCracken: No, no; it was very carefully explained, and still is, to every patient coming in. As a matter of fact, this matter was gone into by the staff of the admitting room and by the treatment staff after they arrived there, and the question was put to the first group of people that came through—quite a large number—"Would you rather have the questionnaire a blank questionnaire without your name on it, or would you like to signify how you feel, because we want to know how you feel?" The reply to that was that they wanted to tell us how they felt.

Mr. di Santo: What was the percentage of workers who answered the questionnaire?

Dr. McCracken: The ones who didn't—the no response sections—varied. On one question it will be 20 per cent, another question two per cent, another—

Mr. Lewis: Did that represent a response?

Dr. McCracken: No; well, pardon me, there are a few questionnaires where certain of the questions were left blank, so when you add them up, you take 100 questionnaires and in one question you will get 100 replies and in another you will get 98, and so forth, if you look at 100.

Mr. di Santo: Of the questionnaires that you gave out, how many were returned with an answer, or a few answers, and what questions were answered most?

Dr. McCracken: I can't tell you, of all the questionnaires that have gone through, I don't have the figures to say, for question No. 10, for instance, about the recreational facilities, how many—

Interjections.

Mr. di Santo: Of the number of the questionnaires that you gave out, how many returned answers in part or totally?

Dr. McCracken: Oh, I see what you are getting at. I haven't got that figure either, but I am told by the people in the admitting and discharge office that in the questionnaires coming to them, the vast majority of them, all the questions are completed. Mind you, there are certain areas where there will be, for instance, 20 per cent of the questionnaires that will be no opinion.

Mr. Chairman: Thank you, Dr. McCracken.

Mr. Warner: Thank you very much, Dr. McCracken. Knowing now what I didn't know prior to September 18, 1975, I think that there are a few areas that I'd better be a little more sure about before I can carry on trying to help those people who come in to my office.

One of those is, at the appeal itself, with the appeals examiner, an oath is taken by the person who is there. What is the status of that oath? What is the legal status of the oath that is taken by the person who stands in front of the appeals examiner? I don't know how else to explain it. I've been there, there's the appeals examiner, there is the constituent whom I am representing, and that constituent is asked to put his hand on the Bible, raise his right hand, and swear that the information he is about to give is true and so so, whatever words are used. It's an oath. I would like to know what the status of that oath is.

Mr. G. W. Reed: I would answer that theoretically if the person gave false evidence knowingly, he would be committing an offence. If he gave false evidence knowingly.

Mr. Warner: He could be charged with perjury?

Mr. G. W. Reed: Yes. You are asking for the legal effect, and that would be the legal effect, because the board has the power to administer oaths, in the same fashion as a court of record in civil cases; section 80 of the Act.

Mr. Warner: Just to make sure I clearly understand this—it has the same power as if that person were in a court of law and took an oath in front of a judge? Is that the correct interpretation?

Mr. G. W. Reed: Yes.

Mr. Warner: Okay. Another area which has caused some concern for me is the collection of and the perusal of medical information. Many of the cases I have had which have been difficult have involved the person seeing his doctor. They say, "I was then referred to a specialist. I have these reports. I went to the Workmen's Compensation Board and they sent me to their doctor. And their doctor did a report. The Workmen's Compensation Board believes that report not the one that my doctor did." That's what they tell me. Could you explain how you differentiate between medical reports?

Mr. Starr: In the field of adjudication—how is that considered?

Mr. Kerr: I am not quite sure, Mr. Warner, of exactly your point. Would you repeat that for me please?

Mr. Warner: The person has gone to his family physician who has made a diagnosis. Sometimes the family physician refers the person to a specialist who makes a diagnosis. The claim is entered and during the processing of the claim the Workmen's Compensation Board sends the individual to one of its doctors—one of your doctors—who makes a report. Then the Workmen's Compensation Board appears to accept the report from its own doctor but not from the family doctor of the individual concerned.

How do you differentiate between those reports?

Mr. Kerr: That's a question which applies in a great many situations, I suppose, so I can deal with it at the claims adjudication level and the operating department which is outside the appeals system. We would put weight on the more senior of the medical opinions.

If we have a difference of medical opinion, we would ask for an opinion from—really, I'm just speaking in generalities because I'm not sure of what you are getting at but maybe this will help you. If we have a difference of medical opinions we will arrange, through our medical branch, for the man to be examined by a specialist who is a specialist in that particular field. In analysing the situation and adjudicating the case, we would take the preponderance of the medical evidence and probably give more weight to the senior medical opinion.

I realize that is a general answer but I think perhaps that's the best I can do at this point.

Mr. Warner: You don't cast immediate doubt upon a medical report which comes

from a doctor not employed by the Workmen's Compensation Board?

Mr. Kerr: No. All reports are considered. Each report is considered.

Mr. McClellan: Some are more considered than others.

Dr. McCracken: If I might just add to that; so far as medical reports are concerned, a difference of opinion between medical reports tends to be the exception rather than the rule, to place it in perspective. In other words, the vast preponderance of medical reports coming to the medical department—what the family physician's opinion is and what the consultant's is and, if we want to get a further opinion, what that opinion is—in the majority of cases are in agreement.

Mr. Warner: But it's done at your direction, isn't it?

Dr. McCracken: It is done at our request, not our direction—our request and no strings attached.

In other words, my approach to the problem is—and we guard against this and, fortunately, we have not had to speak to any of the consultants that I am aware of—it's made very clear to them that they are to give their impartial opinion. They are not to be influenced in any way whatsoever and we are asking them as medical experts to give their opinion. Hopefully, this is what they do for us. We don't want a biased physician reporting to us, to be quite frank with you.

Mr. Warner: Okay. Coming back to something which was mentioned this morning, I take it that a person whose claim is being seen by you needs to be directed to a doctor, or needs to have the doctor approved, by the Workmen's Compensation Board; that that person cannot then go outside of that approval, cannot go on his own or her own to seek medical advice or a medical diagnosis. Is that—

Dr. McCracken: This must be referring to a situation in appeals, I presume, where they are asking for—

Mr. Warner: Yes.

Dr. McCracken: —a medical referee situation. Mr. Reed could speak to that.

Mr. Harding: Could I touch on this for a moment? I think in the first instance we should understand that the workman has the absolute right to choose the treating practitioner he goes to, be it a doctor, a chiro-

practor, whatever. That is his right, to choose to whom he goes. Once he has exercised that choice and has started attending a particular doctor, our standard belief is that he should continue with that doctor. It's in his best interest for the continuity of treatment.

If that attending doctor feels he should see a specialist, that doctor will refer him to a specialist of his choice. In those cases where treatment becomes prolonged or becomes complex, we may call the attending doctor and say: "Do you think you need the benefit of a specialist opinion? If so, do you want to choose a local specialist or do you want us to make arrangements?" If we make the arrangements, it would be either with a specialist in the man's home town, a leading specialist practitioner acceptable to the attending doctor, or we may bring him to Toronto for one of the more senior specialists or a professor of medicine or something or surgery at one of the treating universities in Toronto or elsewhere. Virtually all of the doctors' reports on which the decisions are based are external to the board; they are independent professional people and we try to find the best experts we can get.

In the event there is controversy between medical opinions in a file as to some doctor saying it is or some doctor saying it isn't probably causally related to something, then under section 22 of the Act, the board can refer the case to what we call a medical referee. When we are referring to a medical referee—and this is only in the appeal system when a critical issue has to be resolved—when we need to make a decision in that kind of a thing again we are not anxious that we should try and choose between opposing opinions so we may very well refer it to a medical referee, and in that instance we would select maybe four of the most capable people we know in this field. We will say to the man or his representative: "Here are four really first-class people. You choose which one you would like to be a medical referee whose opinion will be binding."

The medical referee can look at the file. He can look at the man. He can put him into hospital if he wants to. He can run tests, pathological laboratory tests. He eventually sends this file back. He has examined the man, he sends a complete report and he says: "I find this, I find that, I find so and so." The board accepts those results.

Mr. Warner: Suppose for a moment that an individual has been to the doctor that has been recommended and is not happy or satisfied with what has taken place. The individual

feels that he or she has the right to choose the doctor to whom he or she should go. Is that now outside of the activity of the Compensation Board and—

Mr. Harding: No. There is no absolute power to changing doctors. All we ask is that if a man wants to change his attending practitioner, then it is reasonable and proper that he should get in touch with us and say I want to switch from doctor so and so and to doctor so so. It may be that the doctor has moved. It may be that the doctor is on vacation. It may be that there is a personality conflict between doctor and patient.

Mr. Warner: That's all the person has to say is "I want to choose"?

Mr. Harding: If he writes to us and says I want to choose, our doctors will evaluate the circumstances as to whether that's a reasonable thing to do. Now, the one thing we've got to avoid, quite honestly, is a workman shopping around, doctor after doctor after doctor, merely trying to find a doctor whose opinion will coincide with his own.

Mr. Laughren: How about chiropractors?

Mr. Harding: They can go from one chiropractor to another on the same basis.

Mr. Grande: But I understand chiropractors are taken lightly by the board. They are the bottom rung, I understand.

Mr. Harding: We pay them. They are covered by precisely the same section of the Act. I can read you the section of the Act that says that.

Mr. Laughren: Is that a referral?

[5:45]

Mr. Harding: He can choose a chiropractor in the first instance, sure.

Mr. Laughren: With a referral from the doctor?

Mr. Harding: Yes.

Mr. Warner: What bothers me—

Mr. Lupusella: You don't take into consideration their opinion.

Mr. Chairman: Mr. Warner has the floor.

Mr. Warner: What bothers me is that I had a gentleman who had gone through considerable problems and been to the doctor. The doctor had indicated that there really wasn't a great deal wrong with him. The gentleman at some point ends up, by choice,

in Winnipeg visiting friends and relatives and ends up in the hospital. The chief surgeon there says: "We should operate; you really shouldn't go anywhere until we operate." A quick check and the Workmen's Compensation Board says: "You do that and there won't be any payment; we're not going to recognize what's happening because you did not do it with our approval."

Now what's a guy from Toronto who's sitting in a hospital in Winnipeg supposed to do? I don't know.

Mr. Harding: I think we'll agree immediately that there are problems when workmen move outside the jurisdiction of the Ontario Workmen's Compensation Board and commence treatment in other areas. Some go to the United States, say, they hear of a clinic that they think might help them; they trot off down there.

Mr. Warner: But you won't approve that?

Mr. Harding: On those occasions where the results of that kind of surgery and that kind of treatment turns out not to be in the man's best interest, what we have tended to do is to accept the treatment and pay for it at Ontario rates. But it's a matter of medical judgement as to what was proper and what is best. I think you're looking in areas of fairly difficult medical judgements as to what is in the best interest of the man. And I think that, as a layman, I have to leave it to the specialists to advise what is in the best interests of the man.

Mr. Warner: Okay. I agree that it's difficult.

Mr. Harding: Could I just mention that under The Workmen's Compensation Act medical means medical, surgical, optometrical, dental aid, the aid of drugless practitioners under The Drugless Practitioners Act, the aid of chiropodists under The Chiropody Act, hospital and skilled nursing services, et cetera; and the drugless practitioners include chiropractors and osteopaths, they're right in the list.

Mr. Warner: Yes.

Dr. Jacobs: Excuse me, Mr. Warner, I dealt with this problem for approximately a year and I can assure you that the number of problems that arose were few and far between—this is medical aid and this is the payment group. The greatest problem, really, is that we would see in that particular area would be people who live in, say, the Sarnia area who like to go across the river to Port Huron. Then you get into a difference of rates

rather than differences of doctors. You see the same thing if you go to Thunder Bay, since there's a very reputable clinic at Rochester, Minnesota, the Mayo. Sometimes in the difficult cases you see those things, and problems arise out of them.

But I can assure you, from a year's experience in that pay section, which operates on about a \$50 million budget, the problems are infinitesimal, to be honest with you. I cannot honestly go back and pinpoint any case of any major concern in that year of operation.

Mr. Warner: But you do accept that approaching a doctor is like approaching other types of services, that the person involved has the right of selection. That's something we're going to have to set out.

Mr. Harding: The Act specifically gives him the right of selection.

Dr. Jacobs: I'd like to say something else. I think when you start to get into changes of doctors, et cetera, we want a consultant's opinion. I think the best man to ask is the man who he's presently attending for his opinion, and what he thinks he should do. Then if he runs into problems and he doesn't want to refer him out, then that's another matter; but I think primarily in all these cases it would save a great deal of trouble if they did discuss the matter with the attending physician as to what is the best course, and then use that as a fundamental guideline.

Mr. Warner: Okay. Another little point which has come up is included on the yellow sheet that is handed out to people with information on the appeals procedure. One section of it says summary of information. "When an appeal is made against a decision anyone who is interested can obtain, on application, from the administrator of appeals, without cost a summary of the information upon which the decision was based."

It sounds pretty good except that it seems to me that if I am going to have to represent someone who is afraid of going into that room, knowing the experience they have had before—not particularly the individual but just that whole procedure, someone who is not used to that—showing up at 2 Bloor; walking into an austere office and so on; who isn't sure of the process; who feels that he or she has been unjustly treated to this point that is why they are having an appeal; appears to have had medical evidence from their own doctor discarded—or at least not treated seriously—it seems to me in light of all of that that what I need is not a summary of information but the medical reports, from what-

ever source, which are available for that particular case. Why can I not obtain them?

Mr. Harding: There are a number of dimensions to the question you ask. First of all, let's talk about the summary itself. The concept of the summary is intended to provide the workman with all of the pertinent information from the record dealing with the issue which is being raised, the specific issue under appeal, so he will know the case which has been made and on which an adverse decision has been reached. He is entitled to know that to enable him to prepare.

On the question as to whether he should have full access to all the reports, certainly, in the first instance, that is covered in section 99 of the Act which provides that all those reports are privileged. It is not the board's privilege, the privilege is the privilege of the doctor making the report. It is medical philosophy.

If you had been here yesterday you would have heard the minister review this and I know she reviewed it in the Legislature when Mr. Bain's bill was debated two or three days ago. The concept is that the attending doctor has the reports. If the workman is seen by other doctors, by specialists or by board doctors copies of those reports are all sent to the man's attending doctor. The best person to explain to the workman the nature of the medical evidence is the attending doctor.

There are other restraints on the information. Frankly, there are files in which there is medical evidence of a nature which, by law, no one can transmit. For instance, under The Communicable Diseases Act you can't do that. You may well have, in some cases—not too frequently but in some—information indicating that the man's condition is due to a terminal disease of which he is not aware.

We certainly don't believe he should learn of that kind of condition from perusing the board's files. He should learn of that responsibly from his attending doctor. The attending doctor is the person who, professionally, has the responsibility, the discretion and the facility for explaining to him in terms understandable to him what the situation or the score really is.

The idea of the summary is to enable him to come to grips with the situation. Mr. Lupusella, in his opening remarks, I believe, read into the record, and appeared to rely on it absolutely, a complete summary of information in Mr. Longo's case. Taking the points that Mr. Lupusella made—

Mr. Lupusella: I think this one was a particular case because I was involved and the

summary of the information was very detailed. But it is a unique case.

Mr. Harding: It really was a unique case. It was a unique summary.

Mr. Lupusella: The board knew of my involvement and that I was in the Legislature. They made sure they were going to provide me with all the information. It was as simple as that.

Mr. Starr: We would not do it for Mr. Warner, evidently.

Mr. McClellan: Tremendous variation in quality.

Mr. Wildman: Can I ask a question? In some cases, when a worker has been working for a long number of years he has been injured perhaps a number of times and has made a number of claims. When he tries to claim for the continuing effects of the previous injuries and you request a summary of information, you get the summary of the particular claim but unless you specifically ask for the information on all of his claims you don't get it. I recently had a case in which a worker had long-term effects of what could have been a different injury from the one he was claiming for, that is a different claim. The board never got that until, after raising a lot of complaints, the board finally went through all of his old records and got all the claims.

Mr. Harding: In the first instance, really, if the appeal is being made on one claim on which the decision has been made and the appeal comes in on that—the issue appears to be that claim—the summary will be based on that claim. The board does not maintain an historical record on each workman. We can't tell you. If you phoned us and said, "Tell me all the accidents Mr. So-and-So has had since 1947," we couldn't tell you. We don't maintain that kind of record.

Mr. Wildman: I finally got that information.

Mr. Harding: Yes, if you tell us. If you come back and say he had the same kind of problem in so-and-so and the same problem three years before that, then we will search the records of those years and those employers.

We can track them down. We can increase the summary. But we need to know that. Someone has to tell us the facts of the case. We wouldn't know that unless it was in this particular file and that it was an issue.

Coming back to your own point, if, once you have got a summary, you are not satisfied that it is as complete as you would like to see it or you suspect that there may be more in the reports, as a person with ethical standards and of professional standing you would be entitled to come to the board's office and ask to see the actual file. You will be permitted to review in their entirety the reports from which those summary points are taken on the understanding that you don't reveal that information to the workman directly and that you use it for the purpose of the appeal only on a responsible basis.

Mr. Warner: I appreciate that. What confuses me about the whole thing is that, in effect, the Compensation Board has received the information as a third person. I am another third person but I can't have it. You can but I can't. The doctor who has been employed by you or from wherever those medical records have come, ends up giving you a report. You see that report; you have a copy of that report. You are, in effect, a third person but you have received that. As another third person I cannot have that record. There is an anomaly there.

Mr. Harding: The anomaly is that we have the responsibility of administering the Act. Section 52 of the Act puts a legal requirement on the doctor to provide a report to the board but it doesn't put a legal requirement on him to provide it to anybody else.

Mr. Warner: Okay. Time is fleeting. I have a couple of other questions. I would like to know, and we have touched on it this morning, about psychological problems. I gather that if the board isn't already doing so it is moving in the direction of being able to compensate people for psychological problems.

If a person is injured on the job and, through the injury, has psychological problems about going back to that type of work, how do you compensate him? The one I have now is getting 10 per cent. I don't know how you wrestle that in your own mind. The man could never return to that kind of work again because of what happened.

I would like to know if, in your deliberations, you are thinking that you could compensate someone for their experience with the Workmen's Compensation Board. I have a gentleman right now who, after two years of having battled the Workmen's Compensation Board, is in worse shape than he was two years ago, by far. He not only won't be able to return to the job he had when he was injured, he will be lucky if he can get

any work at this point. His frustration, quite frankly, is because of his experience with the Compensation Board. Can you compensate him for his experience with the board?

Mr. Harding: We do.

Mr. Warner: You do? Can you give me chapter and verse?

Interjections.

Mr. Chairman: Order, please. Mr. Warner.

Mr. Warner: Yes, I just want to finish this up. Can you give me chapter and verse on that?

Dr. Jacobs: I think, Mr. Warner, that was explained this morning, if you were here, by Dr. McCracken when he dealt specifically with this in relationship to Mr. Godfrey. At least, I thought he did.

Mr. Warner: No, with all respect, that is not what we—What we discussed then were compensable problems resulting from psychological difficulties and not specifically that the person has ended up with a psychological problem because of dealing with the board itself.

[6:00]

Mr. Harding: I think that when you talk about the causality of psychological disability it is generally recognized that there is always multiple causality. There are a number of factors which produce emotional responses in disabled people. There are a variety of hostilities which develop in disabled people and you have to look at that as a whole and how that affects him as a whole and if, following his compensable injury, his total experiences, his total difficulties, his economic, social, his other problems combine with his basic personality to produce psychological disability, we'll look after that.

Mr. Warner: Mr. Chairman, if I have indulgence for two minutes. I can complete and then someone else could have the floor.

Mr. Harding: Could I just ask if Dr. McCracken—

Mr. Haggerty: The hour of 6 o'clock has arrived.

Mr. Chairman: If you can finish in two minutes—

Mr. Harding: Could Dr. McCracken add one minute to that?

Mr. Chairman: Yes.

Dr. McCracken: Mr. Chairman, first of all, just to supply a bit further information to the members here, I have been advised indeed about the questionnaire at the hospital, and I'd like this to go into the record, that there is no obligation to fill them out and that they do not have to sign them, but, as you can appreciate, if they don't, well then it's impossible for us to marry up part one with part two to find out what has happened to the person during his hospital stay.

Coming to the psychological disability factor, I guess that what you're trying to say is that if it is the patient's opinion, or some third party, that his condition has worsened as a result of treatment while he's on compensation—that is, exposure to the compensation system—I suppose the direction that you would have to go there and the people in the unit out at the hospital are looking at this—in other words, they're trying to assess how much effect might have happened to the person as a result of him being on compensation—but I guess the direction you would have to go is you'd have to go to his physician, for instance, and say, "Look, are you prepared to express a medical opinion that this man has a worsened psychological disability due to his being on compensation for the last two years?" If the physician says "Yes, I think that that's the case," well there's no reason why he can't put it in his report.

Mr. Warner: I'll certainly pursue that one. The very last question—I'll be very brief—are other sources of income of concern to the Compensation Board with respect to the individual?

Mr. A. G. MacDonald: No.

Mr. Warner: Then why, with the deepest respect, would someone ask a constituent of mine who is applying for compensation how much he was receiving from his veteran's allowance?

Mr. Jacobs: They wouldn't.

Mr. Warner: Sir, that question was asked.

Mr. Starr: Was this on a full compensation benefit or a supplementary?

Mr. Warner: No, the person had applied for full compensation, permanent disability, and he was asked what other sources of income he had, and he said "I have veteran's pension. I fought in the war." "How much is your pension?" He said, "I don't think that's any of your business." They said, "It may affect the amount of pension you receive from us."

I'd like that cleared up, because if you have some way of doing that in the Act, change the Act, but I don't think that's right.

Mr. Harding: I think probably—I'm guessing at this—we have been looking at the levels of compensation for permanent disability for various kinds of situations, particularly for permanent total disability, as to the adequacy of minimum levels of benefit. We've got to look at that and say, what can people live on? What other income do they have? We have been doing spot surveys from time to time, which have nothing to do with the individual case and what the man's going to get, but to give us some idea of what other levels of income or what types of income people receive coincident with Workmen's Compensation.

I think this ties into the question that Mr. Haggerty was mentioning last night in his resolution. Is there any way that all these things eventually should be tied together? How many different public purses, how many different social systems, should an individual have to look to to depend on enough income to survive in today's economic situation? It is reasonable that you should be looking at, what can he get from Workmen's Compensation? Will he get Canada Pension Plan? Does he have other kinds of insurance? Has he got the old age pension? Does he have a supplement? There are all kinds of social incomes and I think we all need to know a lot more about those kind of things.

Mr. Warner: Yes, but that's what we do in the constituency office.

Mr. Harding: It doesn't bear on his entitlement.

Mr. Haggerty: He is not as fortunate as a schoolteacher—

Mr. Chairman: Order.

Mr. Haggerty: —who can stack his pensions.

Mr. Warner: I appreciate, Mr. Chairman, the indulgence to run overtime and I'm concluding my remarks. I just would say, in one sentence in conclusion, Mr. Starr, that I certainly don't doubt the abilities of the people at the Compensation Board or their interest, but what I have come to realize over this year and so many months, is that it is an adversary position and that has to change. That really has to change. I don't know how you do it, but I suggest, sir, that somebody comes up with some answers.

Mr. Starr: May I just say this, sir, that as long as we have seven per cent rejections of claims that come before us, then it's an adversary system in that respect and in that respect alone. There's nothing wrong with seven per cent rejection. Every claim can't be approved.

Mr. Warner: Thank you very much, Mr. Chairman.

Mr. Chairman: It is now past 6 o'clock. I leave the chair and we'll sit tomorrow morning at 10.

The committee adjourned at 6:03 p.m.

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Bennett, Hon. C.; Minister of Industry and Tourism (Ottawa South PC)
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McKeough, Hon. W. D.; Treasurer, Minister of Economics and Intergovernmental Affairs
(Chatham-Kent PC)
McMurtry, Hon. R.; Attorney General (Eglinton PC)
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Philip, E. (Etobicoke NDP)
Reed, J. (Halton-Burlington L)
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Rhodes, Hon. J. R.; Minister of Housing (Sault Ste. Marie PC)
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Roy, A. J. (Ottawa East L)
Ruston, R. F. (Essex North L)
Samis, G. (Cornwall NDP)
Singer, V. M. (Wilson Heights L)
Smith, Hon. J. R.; Minister of Correctional Services (Hamilton Mountain PC)
Smith, R. S. (Nipissing L)
Smith, S. (Hamilton West L)
Snow, Hon. J. W.; Minister of Transportation and Communications (Oakville PC)
Stephenson, Hon. B.; Minister of Labour (York Mills PC)
Stokes, J. E.; Chairman (House) (Lake Nipigon NDP)
Timbrell, Hon. D. R.; Minister of Energy (Don Mills PC)
Warner, D. (Scarborough-Ellesmere NDP)
Wells, Hon. T. L.; Minister of Education (Scarborough North PC)
Wildman, B. (Algoma NDP)
Wiseman, D. J. (Lanark PC)
Yakabuski, P. J. (Renfrew South PC)

Workmen's Compensation Board staff taking part:

Hamilton, D. F., Commissioner of Appeals
Harding, K. B., Secretary of the Board
Jacobs, Dr. W. F., Commissioner
Kerr, W. R., Executive Director, Claims
MacDonald, A. G., Vice-Chairman, Administration
McCracken, Dr. W. J., Executive Director, Rehabilitation Services
Neal, J., Actuary
Reed, G. W., Vice-Chairman, Appeals
Starr, M., Chairman of the Board



Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament

Thursday, December 16, 1976

Speaker: Honourable Russell Daniel Rowe
Clerk: Roderick Lewis, QC

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An alphabetical list of members of the Legislature of Ontario, together with lists of members of the Executive Council and Parliamentary Assistants, appears as an appendix at the back of this issue.

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LEGISLATURE OF ONTARIO

THURSDAY, DECEMBER 16, 1976

The House met at 2:05 p.m.

Prayers.

POINTS OF PRIVILEGE

Hon. Mr. McMurtry: I rise on a point of personal privilege to express my grave concern and disappointment at the publication this morning of information contained in a report which was tabled yesterday before the public accounts committee of this Legislature in response to your warrant, Mr. Speaker, dated December 9.

As is well known to all members of the Legislature, the Ontario Medical Association brought court proceedings to prohibit the information going to the public accounts committee. The Attorney General was named as a party to the injunction proceedings and was represented by counsel from the ministry. My position as Attorney General is that the public accounts committee should have access to this information, but only for the purposes of making its report on public accounts to this House.

It was my view that if the public accounts committee was prohibited from having this information, the legislative assembly would be denied a fundamental right to information necessary for the purpose of effective government administration. However, I am deeply distressed that the information provided to the public accounts committee has now been published and used for purposes other than the work of the public accounts committee. In my view, this can only serve to undermine the confidence of the public in this legislative assembly.

I wish to point out to you, Mr. Speaker, that the chairman of the public accounts committee was advised by my ministry that the information should not be used for any purpose other than for the committee's report to the House. The chairman was advised of the confidentiality provisions of The Health Insurance Act and was told that he should keep such provisions in mind when dealing with the information.

As the Attorney General of this province, I want to make it perfectly clear that I sup-

ported the right of a committee of this Legislature to have this information. However, in my view, that information should have been kept strictly confidential to the work of the committee and the names of the doctors should not have been released. To release the information in the form in which it has been published, in my view, has effected a gross unfairness on the individuals involved as it is clearly capable in the form it was published of distorting the actual amount earned by these individuals.

I am seriously concerned that the action of the member or members who released this information to the press may well have constituted a breach of the privileges of this House. It is my understanding that any evidence taken or secured by such a committee which has not been reported to the House ought not to be published by any members of such committee or by any other person. This is, I'm advised, a long-standing principle of parliamentary procedure. I would ask you, Mr. Speaker, to look into this matter and report back to us as to whether or not there has in fact been such a breach of privilege.

Mr. Germa: I would also like to express my disappointment in the breach of confidentiality which occurred. I should point out to the House that a motion calling for confidentiality as it relates to this information was passed unanimously by the committee prior to receipt of the information. The Chair accepted the motion with the full intent that the information would be confidential. I would hope that it was not a member of this House who breached the rights and privileges of the public accounts committee.

Mr. Singer: I rise on a point of privilege in relation to certain reports that were in the newspapers concerning the events yesterday at the select committee.

In a front-page story, the *Globe and Mail* said that the report was tabled by the member for Sudbury and myself. It sounds as though we walked into the committee with the report in our back pocket and suddenly revealed it and now it is public. Unfortunately, that same phrase was picked up by the *Star* editorial writers and repeated in an editorial that was not uncritical of the chair-

man and of myself. Let me say, sir, that what happened was that there was a motion moved by the hon. member for Port Arthur (Mr. Foulds), which was passed unanimously by all members of the committee, dealing with the receipt of the report from Mr. Fetherston, the general manager of OHIP, who had all those reports in a box. He handed them over after the motion moved by the hon. member for Port Arthur was unanimously passed; it was voted for by the NDP members, the Liberal members and the Conservative members of the committee. It is of the utmost importance to me that that be cleared up in the public mind. There was no report tabled by me nor was there a report tabled by the chairman nor did we have it. What was done was there was an action upon a resolution passed unanimously and moved by the hon. member whose name I have just mentioned. It wasn't even seconded by me.

The other point, and not quite as serious, is the description of what seems to be a mad chase up University Avenue. May I enlighten the House on this? It is the last time I will ever offer the hon. member for Sudbury a ride from the courthouse to the Parliament buildings because the description of the drive bears no relation to it other than the fact that we came together. I offered him a ride and he accepted.

Mr. Grossman: Were you with him in the courthouse? Were you with him there?

Mr. Nixon: Did the member for St. Andrew-St. Patrick vote for the resolution or not?

Mr. Speaker: Order, please, order. The hon. member for Lanark only.

Mr. Wiseman: Mr. Speaker, I rise on a point of personal privilege. I sat on that public accounts committee. We had a special meeting called at 1:30 yesterday and, as everyone has mentioned, it was to study the payments to doctors who had billed OHIP for over \$100,000. We passed a motion that we would have Mr. Scott look after the report, the members would get the report and Mr. Scott would review it and come back. The members of that committee would make a decision at that time as to whether it should be confidential or not. The last line of that report mentioned that it would be confidential. I think, Mr. Speaker, through your good offices, perhaps you could investigate to see who did leak that information. It would be of great help to every member on that committee because I, for one, feel—I am sure all the rest feel the same way—that there's a black mark against our honesty and

our integrity until this matter is cleaned up. I am sure that every member who sits on that wants that done and if your office gives you that power, I would ask you to do it.

Mr. Williams: Mr. Speaker, point of privilege—

Mr. Speaker: Is it on the same point? We don't want to go around the whole chamber on this matter. It has been brought to the Speaker's attention.

Mr. Williams: Yes, it is, Mr. Speaker.

Mr. Speaker: I will hear the hon. member briefly.

Mr. Williams: Mr. Speaker, I wish to dissociate myself from the activities of the committee in the two special meetings it has held during the past two weeks, simply because of the manner and fashion in which they were conducted. The one held by the committee last week to request you to issue the special warrant was conducted without my prior knowledge and without my attendance. Therefore, I was not part and parcel of that particular proceeding.

I would point out that no member of the Conservative caucus was advised of the meeting last Thursday when the special warrant was issued.

As to the meeting yesterday—

Mr. Breithaupt: You really should try to attend the meetings.

Mr. Williams: —again, I received a telephone call at 1:15 to say there was to be a special meeting at 1:30. Under the circumstances, considering the fundamental private privileges involved in the matter before the committee in these urgent meetings, there is no evidence before me to justify the urgency with which these matters were taken in hand by the committee under those circumstances. To have these disclosures made, I want to be dissociated—

Mr. Speaker: I think the hon. member has made his point clear. We don't want to get into a debate about what goes on in the committee. Thank you very much. Will the hon. member take his seat.

Mr. Williams: Simply, Mr. Speaker, I don't want to be associated—

Mr. Speaker: Order, please. I have heard you on that point. Is this on the same matter of privilege, very briefly?

Mr. Foulds: On a similar point.

Mr. Speaker: But not a discussion of all the things that went on in the committee however?

Mr. Foulds: No, Mr. Speaker. As the member substituting for the member for Hamilton East (Mr. Mackenzie) on the committee yesterday who made the motion in the public accounts committee that resulted in the committee receiving the information regarding the names and addresses, et cetera, of those doctors receiving \$100,000 or more in payments from OHIP. I am shocked and dismayed that the press obtained that information and that the information has become public knowledge prematurely.

[2:15]

An hon. member: I bet you are.

Mr. Foulds: I thoroughly agree with the Attorney General that it was the right of the committee to receive the information; but it was clearly part of the motion I put, that the information should remain confidential until such time as the committee should decide otherwise, and I cannot express too strongly my dismay that that has been breached.

An hon. member: Call the reporters before the bar of the House.

Interjections.

Hon. F. S. Miller: I'd like to speak to that point of privilege, too. I am not a member of the committee; therefore, perhaps I don't have to stand to exonerate my own actions. But as the minister responsible for delivering this material on the basis of your warrant, I would like to look at its effect—not on the particular matter, the information that was revealed, but really the kind of effect this has upon the people of this province who look at this Legislature and who I thought had reason to trust it.

I believe that it would be very difficult to assume that it was not a member of that committee who released that information. I believe that each one of us in this House will suffer as a result of that action. I believe the people in this province had every reason to believe that we were elected to represent the rights of people in this House, whether we agree with the principles expressed by our opposition or not. When this kind of action takes place, I believe that we as politicians have dropped one more notch in the eyes of the people of this province.

Mr. Speaker: I think the hon. Minister of Health has made a very good comment which summarizes the total picture. But just

to review the events, if I may take a very brief moment, the warrant was issued; there were certain challenges; the warrant was upheld; and the information then was presented, properly I presume, to the committee. What happened in the committee really is out of the control of the Speaker and the House. It is entirely the responsibility of the committee what happened to that.

As to whether a member of the committee leaked the information or otherwise, I have no way of knowing, but really it is the responsibility of that committee to govern its own affairs as ordered by the House. I will confirm that; I will double-check that to make sure there is no responsibility on my shoulders. But at the present moment I do not see one. If I see otherwise, I will report, hopefully later this afternoon. But at the present time I see no responsibility on the Chair to take any action at this time.

Mr. Grossman: Mr. Speaker, on a point of order on that particular point.

Mr. Speaker: No, it is not debatable.

Mr. Grossman: Mr. Speaker—

Mr. Speaker: Order, please. Order. I have dealt with all the points of privilege which are all dealing with the same matter. I have dealt with the matter. If the hon. member will please take his seat, we will get on with the business of the day.

Any statements by the ministry? The Minister of Energy.

Mr. Foulds: We know what it is.

Hon. Mr. Timbrell: Maybe I should sit down; I'd be further ahead. I don't know.

NORTHERN ONTARIO HYDRO SERVICE

Hon. Mr. Timbrell: In the 1974 Throne Speech the government announced its intention to extend the electrification process to remote northern communities of the province. As a first undertaking, the construction of a transmission line to Moosonee was also announced at that time.

Today, I am pleased to announce a comprehensive electrification programme for those remaining northern communities still without power, where the cost can be justified. Depending on the interest of residents in the communities involved, this new electrification programme could assist nine small communities in northern Ontario and it is estimated

to cost the province nearly \$3 million over a period of three years.

Under the programme, the province will provide Ontario Hydro with capital funds for local diesel generation or extensions to an existing transmission line. Ontario Hydro will assume full operating responsibility for this programme. To qualify for assistance under the programme a community must have a minimum of 25 year-round customers in total, who are willing to take the service from Ontario Hydro. The nine communities in northern Ontario which appear to meet this criterion are Armstrong, Hillsport, Oba, Collins, Auden, Biscotasing, Sultan, Ramsay and Kormack. On the basis of comparative capital and operating costs, the first six communities would be supplied by diesel generators. In the case of the last three, Sultan, Ramsay and Kormack, the recommended supply is by line extension connected to the Hydro rural distribution system.

Two of the communities, Armstrong and Sultan, already receive service from diesel generators operated by the Ministry of Government Services in Armstrong and by the Ministry of Natural Resources in Sultan. The government-owned facilities in both communities will be transferred to Hydro at an early date. In addition to the diesel supply operated by the Ministry of Government Services in Armstrong, nearly 100 houses receive power from diesel generators owned by the CNR. Canadian National Railways will be approached by Ontario Hydro in the near future to negotiate a transfer of CNR's power supply responsibilities in Armstrong as well as in two other communities, Hillsport and Oba. In other communities under this programme, power is currently provided by private logging company generators or by the individual homeowner at his or her own expense. Central diesel systems will be installed by Ontario Hydro to replace these private systems, again where there is sufficient demand to justify these installations.

The cost of supplying power from diesel generators is very high, approximately 20 cents per kilowatt-hour in communities accessible by road or rail and 30 cents per kilowatt-hour in communities accessible by air only, or about 10 times the cost of producing and delivering power in the rest of Ontario. It is clear that rates to fully recover costs in diesel-supplied communities would not be affordable or acceptable to the prospective residential customer. Therefore, a residential flat-rate structure will be implemented with a cost for all consumption of 6.75 cents per kilowatt-hour. This is the same

charge as will be applied in 1977 to rural residential customers for the first 250 kilowatt-hours of consumption. Non-residential diesel customers, such as government agencies and private businesses, will pay rates equivalent to the true cost of providing the service.

Because of the energy conversion efficiency and cost characteristics of local diesel generation, certain high energy uses, such as electric heat, are inappropriate. Therefore, as is now the practice elsewhere, load-limiting service entrance breakers will be necessary to restrict the power available to each customer to three kilowatts at any given moment in time.

As now envisioned, the diesel electrification programme will begin in 1977 with three communities: Armstrong, Hillsport and Oba. Diesel systems are also tentatively planned for Collins, Auden and Biscotasing in 1978 and a line supply is planned for Sultan, Kormack and Ramsay in 1979. The three-year completion schedule for the nine communities is necessary to permit Ontario Hydro to develop the manpower and resources required for the installation and administration of the diesel systems. The electrification schedule was also strongly affected by the constraints on increases in government spending.

Ontario Hydro already operates diesel generators in five status Indian communities, Fort Albany, Big Trout Lake, Pikangikum, Attawapiskat and Sandy Lake. These installations were made possible by an agreement between the federal Department of Indian Affairs and Northern Development and Ontario Hydro in 1971. The electrification schedule for status Indian communities calls for installations in two more communities, Lansdowne House and Weagamow in 1977. The programme I am announcing today is complementary to the Canada-Ontario Hydro electrification programme in that it provides for the phased diesel electrification of communities under provincial jurisdiction which are remote from the transmission grid.

The same rate schedule, 6.75 cents for every kilowatt-hour, will be charged in status Indian communities, as is planned for communities under provincial jurisdiction. This rate schedule will be a major improvement for Indian diesel customers who are currently charged seven cents for the first 200 kilowatt-hours and 26 cents per kilowatt-hour for the balance of consumption. The province will be making representations to the federal government for that part of the cost not recovered through the new rate schedule at the time the issue of all provincial services to status Indians is reviewed and clarified.

With the establishment of the provincial diesel electrification programme, all remote Ontario communities, regardless of jurisdiction, will now have access to a stable, long-term power supply.

Hon. B. Stephenson: I would like to make a statement regarding an important aspect—

Mr. Stokes: A point of order.

Mr. Speaker: Order, please.

Mr. Lewis: A point of privilege. Don't you know the rules, for heaven's sake?

POINT OF PRIVILEGE

Mr. Stokes: On a point of privilege. I know it's somewhat irregular and there's no place in the standing orders to do this, but because of the importance that all residents of northern communities place on this recent announcement, I'd like to take this opportunity on their behalf to give a sincere thank you to all of the ministries which were responsible for bringing this very important service to residents in the north that have been without it for so very long.

ARBITRATION PROCEDURES

Hon. B. Stephenson: I would like to make a statement regarding an important aspect of labour relations administration. It involves the question of the settlement by arbitration of disputes concerning the interpretation of collective agreements under both The Labour Relations Act and The Hospital Labour Disputes Arbitration Act.

As members know, both statutes require unresolved grievances under collective agreements to be submitted to final and binding arbitration. There is a substantial and steadily increasing volume of arbitration under these Acts, especially under The Labour Relations Act. In 1975, 859 awards were filed with the Labour-Management Arbitration Commission. To the end of November of this year, 967 awards have been filed with the commission. In addition to the increase in volume, cases have tended to become more difficult, reflecting the increasing complexity of the substantive provisions of many collective agreements.

In recent months, I have been made acutely aware of mounting criticisms about the capacity of the existing arbitration system to deal with this increased caseload of complex disputes. A major concern that has been ex-

pressed has to do with cost. In virtually all collective agreements, provision is made that the cost of arbitration is to be shared equally by the parties. I have received vigorous representations to the effect that it is difficult and sometimes impossible for smaller trade unions and smaller employers to bear the fees now being charged by arbitrators, with the result that in some instances cases believed to be meritorious cannot be pursued.

The assertion has also been made that there is a lack of properly trained qualified arbitrators acceptable to the parties. Consequently, so it is said, a relatively few highly qualified and experienced arbitrators are required to hear the majority of cases. It is argued that this results, inevitably and unavoidably, in delays and backlogs, both in the setting of hearing dates and the issuing of decisions.

A more fundamental issue, perhaps, relates to the structure of the process. In the main, grievance arbitration is conducted on an ad hoc basis by private adjudicators, either sitting alone or as chairmen of boards comprised of union and employer nominees. Under the present scheme, the arbitrator is selected by the parties or their nominees. Failing agreement, provision is made for appointment by the Minister of Labour on the recommendation of the Labour-Management Arbitration Commission. This process may be contrasted to the scheme embodied in The Crown Employees Collective Bargaining Act where a permanent board, the Grievance Settlement Board, has been established to hear all unresolved grievances.

A further question which has been raised concerns the fundamental rationale for the consensual selection of and direct payment to private adjudicators. There appears to be a difference of opinion as to the desirability and propriety of permitting litigants to select and pay their judges. This raises the question of whether there is a need for a partially or completely publicly funded, permanent body of adjudicators similar to the Grievance Settlement Board, to which I have already referred, or some other structure.

Those are the main concerns that have been expressed to me, with increased frequency I might add, over the past 13 months. I wish to make it clear that as Minister of Labour I have reached no conclusions on any of these difficult issues nor are the issues, as I have defined them, necessarily exhaustive. I fully realize that, in addition to the critics,

there are many knowledgeable supporters of the existing system. However, what is clear to me and to my colleagues, is the need for a critical evaluation of the entire grievance arbitration system by an independent commissioner. Therefore, I am pleased to announce that the Honourable Arthur Kelly, a former member of the Ontario Court of Appeal, has agreed to undertake the task. He has been appointed under section 34 of The Labour Relations Act as an industrial inquiry commissioner.

I should like, with your permission, Mr. Speaker, to table the appointment which defines the commissioner's terms of reference and which reads as follows: "I hereby appoint the hon. Arthur Kelly as an industrial inquiry commissioner to inquire into, report upon and make recommendations concerning grievance arbitration under The Labour Relations Act, RSO 1970, chapter 232, as amended by 1975, chapter 76, and The Hospital Labour Disputes Arbitration Act, RSO 1970, chapter 208, as amended by 1972, chapter 152, including, without limiting the generality of the foregoing:

"(a) The structure of grievance arbitration with particular reference to the use of (1) ad hoc arbitrators or boards of arbitration selected and paid by the parties, (2) permanent arbitrators or boards of arbitration, established by statute, and publicly funded, (3) any combination of, or variation in, (1) or (2) or any other structure for the resolution of collective agreement disputes by arbitration;

"(b) The arbitration process, with particular reference to methods and procedures for expediting the hearing and disposition of disputes;

"(c) The availability and utilization of arbitrators, with particular reference to training, tenure and remuneration; and

"(d) Any other matter which, in the commissioner's discretion, is deemed to be relevant to the prompt, equitable, economic and workable resolution of disputes, by arbitration, concerning the interpretation, application, administration or alleged violation of collective agreement under The Labour Relations Act or The Hospital Labour Disputes Arbitration Act.

"And to review and make recommendations concerning The Ontario Labour-Management Arbitration Commission Act, RSO 1970, chapter 320."

[2:30]

URBAN TRANSPORTATION ASSISTANCE PROGRAMME

Hon. Mr. Snow: On Tuesday, November 30, the Treasurer and I met with Transport Canada Minister Otto Lang and Finance Minister Donald Macdonald to discuss the federal government's proposed urban transportation assistance programme. Today, I'd like to bring the House up to date on the outcome of that meeting but, before I do, I'd like briefly to remind the members of some of the background leading up to it.

As I believe all hon. members are aware, the federal government has expressed its intention for several years to support urban public transportation. Starting back during the 1974 federal election campaign, Prime Minister Trudeau announced full support of urban public transportation and promised a financial assistance programme which would promote progress in this important area. And in 1975 the then Minister of Urban Affairs, Barney Danson, and the then Transport Minister, Jean Marchand, repeated federal expressions of support. Even since then, Ottawa has consistently proclaimed the needs and benefits of public transportation with announcements promising financial involvement in commuter rail equipment, station developments, public transit vehicles, innovative demonstration projects, to mention a few.

Thus, as far as Ontario goes, the federal government has agreed to provide assistance to certain important programmes and projects in the area of public transportation. The Toronto transportation terminal redevelopment project is an excellent example. From its inception, the federal government co-operated with the provincial government in evaluating the needs of the Toronto transportation terminal. They also co-operated in the development of a plan which would permit the much-needed expansion of urban transit services, the continued efficient operation of federally controlled rail service and the introduction of the improved intercity passenger service. Federal ministers have agreed on several occasions that a cost-sharing agreement be drawn up, laying out federal and provincial contributions for the design and redevelopment in this area.

Another example is the 80 bi-level rail cars now on order being manufactured by Hawker-Siddeley in Thunder Bay at a cost of approximately \$38 million. Here, my predecessor, the member for Sault Ste. Marie, received a verbal assurance from then Minister of Transport, Mr. Marchand, that Ottawa would finance the purchase of this equipment. It is important to note that not only will these cars

increase capacity on the lakeshore line but they will also free up existing equipment which, along with the Toronto transportation terminal improvements, will make possible the implementation of the Streetsville-Milton GO rail line.

Naturally these various announcements, promises and programme undertakings were greeted with enthusiasm by the public, by the municipalities and the provinces. And why not? Because, simply stated, there's no question that public transportation is a necessity in today's urban communities. As well, the need to pursue means of conserving energy is widely recognized. All levels of government are now fully aware that the proper development of urban communities is vitally linked to transportation, and congestion and pollution must be overcome if our cities are to be attractive.

Thus, we welcomed the idea of federal help, which brings me to the federal proposal announced on August 27, 1976, by Mr. Dan-son and Mr. Lang, again restating their considered concern over energy conservation and an improved urban environment. But the proposed programme not only fell far short of expectations raised by previous announcements, but it raised many new concerns. It was to discuss those concerns openly and directly with Mr. Lang, while offering the full co-operation of this province in structuring a programme compatible with the needs of the municipalities and the province, that I went to Ottawa on November 30.

I'm going to outline as quickly as I can the various components of the federal proposal, then our specific concerns and, finally, the outcome of the discussions. Essentially, the federal government now proposes to lump these urban transit-related programmes with its railway relocation and crossing programme and let them compete for a limited amount of money, which is an annual allotment to Ontario of approximately \$16.5 million. In contrast, Ontario had expected to receive at least the \$16.5 million to meet its most urgent priorities in grade separations alone.

For this reason, if no other, we cannot agree it's logical to insist that the dollar costs of all these other programmes be met from such a small allocation. Don't forget that in contributing to grade-crossing safety projects, the federal government is only discharging its responsibilities which grow out of its jurisdiction over railways. In plain language, the objectives in the grade-crossing programme are quite different from those of the urban transportation assistance programme.

We expressed our views quite strongly to both Mr. Lang and his colleague, Mr. MacDonald, for only they can decide whether or not they can find the funds necessary to discharge their obligations and join us in our programme aimed to increasing the use of urban transit. I am sure, however, that Mr. Lang now recognizes our viewpoint, that the two programmes are totally unrelated and must remain separate. I say that because he did intimate he would lift the freeze on priority grade-crossing approvals.

I also expressed my concern to Mr. Lang over the fate of the Toronto transportation terminal redevelopment. This complete project is dependent upon the previous federal assurances of financial support. The Ottawa government must recognize that its hesitant attitude places this entire project in jeopardy. I have already mentioned the contract for the 80 double-deck cars for GO Transit, to which we committed ourselves at a cost of \$38 million only after the federal assurance of financial assistance. I have asked Mr. Lang to clarify his government's intentions in this matter as early as possible.

Based on our experience in that area, I am not prepared to make a provincial financial commitment to the Toronto transportation terminal project, based solely on any assumption that federal funding is going to be available. This very important project can proceed only when and if there is a firm federal commitment. I shall have to add that if the Toronto transit terminal project is delayed, then the Streetsville-Milton GO rail services will also be delayed because terminal and track improvements are a prerequisite to this new service.

Basically, then, my main concern with the proposed assistance programme is this: It endeavours to cover too many programmes with too little money. Let me quote some figures to place the federal contribution of \$16.5 million in its proper perspective. The federal subsidy of about \$16.5 million is to cover public transportation, grade separation and railway relocation studies and implementation. Ontario's financial requirements to meet its annual needs in the transit component alone are now calculated to be \$206 million. On top of that, the provincial municipalities also annually spend, at the current rate, approximately \$90 million—this for a total provincial-municipal contribution of \$300 million.

Mr. Cunningham: Time.

Hon. Mr. Snow: In addition to this is a large expenditure for both the province and

the municipalities for grade separation. It doesn't—

Mr. Deans: He should have issued the statement from his office or something.

Hon. Mr. Snow: —take a mathematical genius to understand that the federal government's contribution is a mere 5.6 per cent of that total. And since one of my predecessors, the former then Minister of Highways, Mr. MacNaughton, first outlined this government's commitment to transit, beginning with subway contributions in—

Mr. Deans: I thought the Premier was going to leave tonight.

Hon. Mr. Snow: —1964, the total provincial expenditures in transit have amounted to \$428,855,000 in capital and operating cost subsidies to the end of the 1975-76 year. If you include the current year's estimated expenditures, this total becomes approximately \$635 million.

Mr. Cunningham: Time.

Hon. Mr. Snow: Over that, the municipalities have spent many additional millions. Unfortunately, I was not able to pull those figures together for this statement.

Meanwhile, the federal government's total contribution to public transit in Ontario has been one \$10 million grant to cover rolling stock for the Richmond Hill GO line. I'm aware, of course, that Mr. Lang, like all of us, faces problems of funding restraints and cutbacks which, to a certain extent, tie his hands. But at this time I must emphasize that both the objective of our grade-crossing programme and the objectives of our urban transportation programmes are too important to sacrifice.

Mr. Lang has indicated to me that he expects to review the results of our November 30 meeting with his cabinet colleagues and get back to me before the Christmas recess. To date, however, I have received no reply.

That doesn't mean, however, that I am not hopeful that Mr. Lang will get back to me in the very near future. However, I felt that I should inform this House of exactly where we stand on this very important matter.

Mr. Reid: He might even fly in.

CHILDREN'S LAW REFORM ACT

Hon. Mr. McMurtry: Mr. Speaker, today I will be introducing The Children's Law Re-

form Act. When I introduced The Family Law Reform Act and The Marriage Act for first reading earlier this session, I indicated that there was still one extremely important area of law which had not been directly addressed, that being the law relating to children.

I specifically noted that The Family Law Reform Act and The Succession Law Reform Act give all children the same rights to support and inheritance regardless of the marital status of their parents.

The Children's Law Reform Act carries forward the programme of family law reform I announced at that time by abolishing the status of illegitimacy for all purposes of the law of Ontario and by providing the legal framework necessary to facilitate establishment and recognition of parentage regardless of the marital status of the parents.

This bill is a direct outgrowth of the family law reform legislation which is before this House and which will be reintroduced next session. Therefore, by presenting as complete a picture as possible of our programme of family law reform, we can achieve a fuller discussion of the programme in our continuing consultation with the public.

Just as allowance has been made for adjustments and refinements in our other bills, so too we would expect that alterations or additions may well be necessary in the details of this bill. In particular, it is my hope that this bill can be expanded as soon as possible to deal with the issues of custody, guardianship and other related matters. I would like to turn now to a brief outline of the main features of the bill.

Part I abolishes the status of illegitimacy and declares that for all purposes of the law of Ontario, the legal status of a child is independent of the marital status of his parents. A child's rights and obligations will no longer depend on the decision of his parents to marry or not to marry.

[2:45]

Part II provides legal means to facilitate establishment and recognition of parentage. Although all children will be equally entitled to their rights, in order to exercise those rights in any given case a child will have to establish that he is in fact a child of the person in respect of whom he is making his claim.

Under part II parentage can be proven or established through three devices, which are differentiated according to the strength of proof they provide.

The most definite method of establishing parentage will be to obtain a judicial declara-

tion of parentage in the Supreme Court or the unified family court, where it exists.

Mr. Cassidy: On a point of order.

Mr. Speaker: Order, please. The hon. Attorney General has the floor. You may have a point of order in a moment.

Mr. Cassidy: On a point of order.

Mr. Speaker: The hon. Attorney General will yield then, please. Your point of order?

Mr. Cassidy: With great respect, it has been half an hour of statements and is this not the kind of statement which should be made—

Mr. Speaker: Order, please.

Mr. Cassidy: —which should be made at the introduction of the bill—

Mr. Speaker: Order, please. It is not a point of order.

Mr. Cassidy: Mr. Speaker—

Mr. Speaker: Order, please. I have ruled it is not a point of order.

Hon. Mr. McMurtry: Such a declaration will be recognized for all purposes of the law of Ontario unless and until a further declaration is obtained. Limitations are built in to prevent persons from obtaining declarations in respect of deceased persons where there was no strong evidence of parentage in the lifetime of the deceased. It is expected that in most cases it will be unnecessary to obtain a declaration and that parentage will be presumed where defined circumstances exist, just as we have always operated on the presumption that a child born in a marriage is the child of his mother's husband.

The bill sets out six circumstances in which it is felt desirable to recognize that the man is the father of the child unless the contrary is proven on a balance of probabilities. The first three presumptions, relating to situations where a child is born in a marriage or where his parents marry after his birth, merely reflect the present law. In the fourth presumption the principles of the present law are extended to the situation where a child is born in a union of some permanence but where his parents have not married. The fifth and sixth presumptions deal with cases in which there is a clear public recognition of paternity of the child—in the one case where the parents have made a joint, formal acknowledgement of the parentage which is publicly registered, and in the other case where a court has made a finding of paren-

tage in a judicial proceeding where parentage was in issue.

The third method which the bill provides for establishing parentage concerns written acknowledgements of parentage that are against the interest of the declarant. In any proceeding where parentage is in issue, such an acknowledgement will be taken as proof of parentage but only if there is no other evidence to the contrary. Thus, in most cases, this kind of acknowledgement will be conclusive only where parentage is not in dispute.

Paternity is notoriously easy to allege but difficult to disprove. A wrongful allegation can often be disproved by blood testing. The bill facilitates the introduction of blood-test evidence and permits the court to make appropriate use of it. The court will be able to approve the use of blood tests in a proceeding where parentage is in issue, but the consent of the person to be tested will always be required. Thus, the tests are completely voluntary. However, the refusal to consent to a test will allow the court to draw such inferences as appear proper in the circumstances. Procedures are set out for obtaining the consent of minors and persons who are mentally incapable of consenting to a test.

Finally, the bill provides that statutory declarations of parentage, judicial declarations of parentage, and statements of judicial findings of parentage will be filed in the office of the Registrar General. However, filing will not affect the evidentiary value of the material filed. The intention is merely to provide a central location where persons, such as executors, may conduct a search for persons who have legal rights or obligations arising out of a birth outside marriage.

The provisions specifically limit the right of inspection to persons who have a proper legal interest in such matters.

In conclusion, I wish to emphasize again that while I believe the principles embodied in this bill are fundamental to the progress of family law reform in this province, I recognize that amendment and elaboration may be required. I therefore look forward to a continuation of the informed public comment we have received in relation to our other bills on family law.

SOLICITOR-CLIENT COMMUNICATIONS

Hon. Mr. McMurtry: Some weeks ago I gave an undertaking to this House and particularly to the member for Ottawa East (Mr. Roy) that before we prorogued I would be making a statement with respect to the problems that have arisen in relation to wiretaps.

Therefore, I would like to advise the members of this House that I have today caused to be issued, in the form of a directive to all Crown attorneys and Crown counsel in my ministry, a three-part document which is an attempt to ensure that all possible steps are taken to preserve solicitor-client privilege in cases where the interception of private communications is authorized under section 178 of The Criminal Code.

It is first of all important to distinguish between those cases where a solicitor is an object of the interception—that is, where the police have reasonable grounds to believe that the solicitor himself is involved in the commission of a criminal offence—and, secondly, those cases where there is no allegation or suspicion that the solicitor himself is involved but where the person who is alleged to be involved talks to a solicitor.

As the Algoma District Law Association stated when commenting about a recent case in Sault Ste. Marie which involved a solicitor as an object of the interception: “With respect to breaches of The Criminal Code the solicitors in this province are in no different position than any other citizen.” However, it is important that the clients of a solicitor alleged to be involved in criminal activity, who have no connection with that criminal activity, be ensured that their privileged communications with him are protected and similarly that the clients of other solicitors who might use the same room or telephone as the named solicitor also be protected.

In the second type of case, where there is no allegation that the solicitor himself is involved, we are concerned that the solicitor-client privilege of the person who is the object of the interception be protected.

Let me then summarize briefly the content of this directive, which is a very lengthy one. First of all, it relates to those cases where a solicitor is an object of the interception; that is, where there is an allegation that the solicitor is himself involved in criminal activity.

This directive contains initially a section entitled “Direction to Designated Agents of the Attorney General,” wherein I have told all agents to advise the judge to whom the application for an authorization is made that the object of the interception is a solicitor, and that it is proposed to intercept only those communications that relate to the commission of the criminal offence described. The agent will further advise the judge that it is our desire at least to minimize, if not entirely eliminate, interception of privileged communications. To accomplish that objective physical surveillance will therefore be used

where possible and what is described as the “cease”—or stop—“monitoring technique” will also be used in every case. We have prepared, in part three of this directive, draft clauses which the designated agent will put before the judge for his consideration. These are clauses which, if inserted by the judge, will in our view accomplish this objective. We have, in part two of this directive, set out guidelines for police officers which we believe will ensure that both the letter and spirit of any restrictive clauses will be carried out.

Dealing secondly with those cases where the solicitor is not the object of the interception, let me also summarize briefly this directive. In part two, we are requesting the police to provide my designated agent with any evidence revealed during the course of their investigation from which it could be reasonably concluded (1) a solicitor-client relationship exists between the suspect and a solicitor and that (2) any one or more of the proposed known locations for interception might reasonably be expected to produce a privileged solicitor-client communication.

In part one of the directive, I have instructed all agents designated by me, pursuant to section 178 of The Criminal Code, that in all cases where it is proposed to intercept the private communications of a person in a jail, courthouse or other similar place where there is a substantial likelihood that a privileged communication between that person and his solicitor will occur, they should draw to the attention of the judge to whom the application is made the question of whether a clause should be inserted in the authorization requiring the police either to not intercept or to cease intercepting at the point in time where reasonable grounds exist to believe that the communication is with a solicitor and is privileged.

The directive goes on, in part two, to advise police officers in detail as to how and when an interception should be terminated and when any interception can be recommenced.

I think it is important to recognize that while the general tenor of this document is the protection from interception of all communications that are subject to solicitor-client privilege, even greater steps must be taken to preserve that privilege in respect of accused persons who are in custody.

Acting under this directive, my designated agents with the co-operation of the police will make all reasonable efforts to minimize and, where possible, eliminate the interception of any communication subject to solicitor-

client privilege. However, we must all realize that the protection of privacy legislation, as has been stated by the Solicitor General, does provide an effective law enforcement tool and that it would be impossible to prohibit the interception of all conversations in which lawyers may be involved.

I should further state it may well be that this directive does in fact go further in its attempt to preserve solicitor-client privilege than what the legislation itself envisages. Section 178 of The Criminal Code would appear to assume that conversations subject to solicitor-client privilege would be intercepted. However, I am convinced that every reasonable effort must be made to prevent that occurring and that in issuing this directive we have taken every reasonable step to do so.

POINT OF PRIVILEGE

Mr. Sargent: On a point of privilege, Mr. Speaker, I talked to Mr. Karl Mallette, the head of Gray Coach Lines, about an hour ago. He informs me that during the appeal period Gray Coach will lose about \$1½ million which will result in a cutback of the Gray Coach Lines buses to Owen Sound. In the spirit of Christmas, I say to the Premier I am sending over a 26-ounce bottle of Coke.

An hon. member: Is there glass in it?

Hon. Mr. Handleman: Is it the real thing?

An hon. member: Is it returnable?

Mr. Speaker: I suggest you check it for glass.

Mr. Breithaupt: You had better strain it first.

Mr. Speaker: The hon. member knows that wasn't really a point of privilege, but it's in the Christmas spirit. Now we will have the oral question period.

OHTB BUS LICENCE

Mr. Lewis: Maybe I can pick up on the Christmas cheer extended to the Legislature by asking the Minister of Transportation and Communications, now that the Conservative member for Wellington-Dufferin-Peel (Mr. Johnson) has joined the Conservative member for North York (Mr. Hodgson), in conjunction with members of both opposition parties, to criticize fiercely the decision of the Ontario Highway Transport Board and to appeal for its reversal, how about reversing it in ad-

vance without going through the procedure of further information?

Hon. Mr. Snow: The obtaining of the further information that I have asked the Ontario Highway Transport Board to get is a very important matter relating to this appeal. Unfortunately, I do not believe the time schedule that I announced in the House or in reply to a question will be able to be met. I understand the chairman of the Highway Transport Board met this week—I believe yesterday—with counsel for the parties involved. I understand, although I have not any direct communication from the chairman, that the counsel for Gray Coach asked that the start of the hearings be delayed from January 3 until January 25. So it is going to be a little longer process than we had thought, but it's at the request of Gray Coach that the delay is taking place.

Mr. Yakabuski: Supplementary: I am wondering if the minister knows whether Karl Mallette has ever personally visited that rat hole of a bus terminal down on Bay Street?

Mr. Breithaupt: That's right on the point.

Hon. Mr. Snow: No, I don't know.

Mr. Lewis: I want to pursue it briefly by way of supplementary. Since there appears to be developing a unanimity of opinion among members of all three parties in the Legislature that the decision was a mistaken one, why countenance any delays at all? Why not simply insist on early hearings or make the reversal in the light of what his own colleagues are now bringing to his attention?
[3:00]

Hon. Mr. Snow: Mr. Speaker, I have not had any such communication from any of my own colleagues on this side of the House.

Mr. Lewis: You haven't?

Mr. Riddell: What do they do? Talk behind your back?

Hon. Mr. Snow: I will say that to my knowledge the appeal has not yet been presented by Gray Coach Lines so unfortunately it cannot be dealt with by the cabinet even if cabinet were to decide to deal with it without waiting for the further information.

PROPOSED RECREATION COMPLEX IN VAUGHAN

Mr. Lewis: A question, if I may, of the Treasurer, Mr. Speaker. I take it that the

Treasurer is aware that Taft Leisure Parks Limited, of Cincinnati, has an application pending with the Foreign Investment Review Agency?

I'm sorry—you want me to refer that elsewhere? You want me to redirect it?

Hon. Mr. McKeough: To the Ministry of Industry and Tourism.

Mr. Lewis: I'm not quite sure that is so; let me just complete it. Taft Leisure Parks Limited of Cincinnati has applied to the Foreign Investment Review Agency for approval to build in Vaughan township this massive amusement park. I gather that TEIGA has been requested to put Ontario's position before the Foreign Investment Review Agency. Can the Treasurer indicate publicly what he will say to this extraordinary proposition?

Hon. Mr. McKeough: Mr. Speaker, there is an error in the Leader of the Opposition's question. We have not been so requested. The Ministry of Industry and Tourism is the contact point between FIRA and the government as a whole. We have been asked as a ministry to give our comments to the Ministry of Industry and Tourism; whether we have done so or not I don't know.

Mr. Lewis: I see. You give it to them and they convey it?

May I redirect to the Minister of Industry and Tourism? Surely he is going to tell FIRA that the proposition of Taft Leisure Parks Limited of Cincinnati coming into Ontario to build a vast amusement park in Vaughan township doesn't sit well with this government—in fact the whole idea of an amusement park doesn't sit well with this government—and if anything is built it will be built here in Ontario by Canadian companies? Surely that will be his answer when FIRA asks him for his views?

Mr. Speaker: I presume that was placed interrogatively?

Mr. Lewis: That's a question.

Hon. Mr. Bennett: I shall express the views of the ministry and the government to FIRA under the conditions that have been set, which are of a confidential nature. That is the way the reports have been dealt with, whether it be with this particular application—

Mr. Lewis: Come on. That's a copout.

Mr. Speaker: Order, please.

Mr. Lewis: Confidential?

Hon. Mr. Bennett: I beg the indulgence of the Leader of the Opposition. With FIRA applications, when this government or this ministry expresses a position from Ontario, it is on a confidential basis. That is the way it has been handled in the past, except when there is unanimous acceptance by the federal and provincial governments that the positions of those governments shall be disclosed.

Mr. S. Smith: Is it possible to ask a supplementary of the Treasurer even though it was redirected from him?

Mr. Speaker: It seems they are both involved with it. We will allow it.

Mr. S. Smith: Thank you, Mr. Speaker. By way of supplementary, has the Treasurer changed his opinion from that which he expressed some time ago in a letter to Vaughan township, in which he strenuously opposed it and indicated that he would not look favourably on that particular Coney Island type of development?

Hon. Mr. McKeough: I would want to re-examine that letter but I don't think I strenuously objected. What I pointed out in the letter were some of the problems which we suggested to the township and to the region—to Vaughan and York—some of the inherent problems as seen by some of the ministries of the government with that development. Presumably they did so and, as the member is perhaps aware, that particular amendment to the official plan, as I understand it, has been approved by Vaughan and, I think, by the regional council as well.

Mr. Lewis: As a matter of policy, to the Minister of Tourism and Industry, leaving aside the specifics—

Hon. Mr. Davis: Are you going to the Coney Island of Florida?

Mr. Lewis: —does it strike him as appropriate and useful that this kind of development—Coney Island was a pretty neat designation of it—does he think that kind of development is useful here, imported from the United States?

Hon. Mr. Davis: How about Disney World?

Mr. Lewis: If it was Disney World, I might be converted.

Hon. Mr. Handleman: How do you know it is not?

Mr. Hodgson: Why don't you go and look at it? Why don't you go down and look at it?

Hon. Mr. Bennett: First of all, I have not been asked by FIRA to express an opinion on behalf of the province of Ontario—that's number one. Number two, I think if the leaders of the two opposition parties would take the time to review the plans, they'd find out it is not a Coney Island in any way, shape or form. Number three, the NDP and the Liberals can sit back and talk about what this government is going to do to produce employment in the province of Ontario, particularly meaningful employment—

Interjections.

Hon. Mr. Bennett: That's it, go ahead.

Mr. Speaker: Order, please. Order, please. There are too many interjections here this afternoon.

Hon. Mr. Bennett: This is one thing we are doing in Fort William and Thunder Bay to provide some meaningful employment for young people during the summer period, the university students and so on.

Mr. Nixon: What did you do about Minaki Lodge?

Mr. Roy: Why don't you build a lodge on a ski jump?

Hon. Mr. Bennett: We believe this project, if it should go ahead either under Canadian partnership with an American organization or singularly American, if it should go ahead, that it will provide some employment. We shall, as a ministry, be expressing an opinion, but the opinions of FIRA will be that of the provincial government.

Mr. S. Smith: It is prime farm land.

Mr. Roy: Tell us about Maple Mountain, Claude.

Mr. Speaker: Any further questions? The Leader of the Opposition?

Interjections.

Mr. Speaker: Any further questions?

Interjections.

Mr. Speaker: Order, please. We'd like to get on with the proper question period. The hon. Leader of the Opposition.

Mr. Lewis: I know the minister has a talent for building merry-go-rounds, God knows, but I'm not sure that justifies the jobs.

Mr. Roy: That's not fair, Claude. Use your expertise for ski jumps.

Mr. Speaker: Order, please.

RENT REVIEW PROGRAMME

Mr. Lewis: May I ask the Minister of Consumer and Commercial Relations, as the year comes to an end, is there any further statement the minister is prepared to make about the extension of rent review or rent control—better use rent review and not provoke him—beyond July 1977, since it is clear now that no legislation will be forthcoming before March or April of next year?

Hon. Mr. Handleman: Any announcement about future legislation will be announced in the usual way when the government comes to a decision. At the present time, the only statement I can make is that there is no announcement to make.

Mr. Lewis: Fine, thank you.

Mr. Speaker: Further questions?

Mr. Cassidy: Supplementary: In view of the uncertainty that the government's vacillation on this issue has created for the landlords as well as for tenants, and in view of the fact that landlords must in April decide what rent increases to require of their tenants—

Mr. Speaker: Order, please. Is there a supplementary to this question?

Mr. Cassidy: Yes, Mr. Speaker.

Mr. Speaker: Get to it, please.

Mr. Cassidy: What advice or what counsel would the minister give to landlords or tenants who are facing that uncertainty and having to make rent decisions in the new year?

Hon. Mr. Handleman: I don't know what rent decisions have to be made. The present legislation requires 90 days' notice and before the expiration of the Act. That would give them May 1, 1977 before anybody has to make any kind of a decision based on the present legislation. That's five and a half months away. I can assure the member there will be an announcement before then.

Mr. Speaker: Does the hon. Leader of the Opposition have further questions?

Mr. Cassidy: Supplementary, Mr. Speaker.

Mr. Speaker: Final supplementary.

Mr. Cassidy: Does the minister intend the legislation be passed by May 1, 1977?

Hon. Mr. Handleman: I have made no announcement with regard to any legislation to be introduced in the usual way.

WATER POLLUTION

Mr. S. Smith: A question, first of all, for the Minister of the Environment, regarding the level of radiation in Serpent River. Given the statement which the minister made in Elliot Lake on August 17 that he would be carrying out an examination and taking corrective measures, could he tell the House exactly what he's intending to do to clear up that problem, particularly among the Indian families who drink that water? And what exactly he's done up until now, since August?

Hon. Mr. Kerr: First of all, since August the Environmental Assessment Board has conducted hearings in Elliot Lake. We expect they will be resumed early in the year. However, the subject that the hon. member is talking about deals with an Indian reserve which, as the hon. member knows, is under the jurisdiction and control of the federal government.

We have been working with the federal government regarding the possibility of contamination of some of the wells on the reserve. There are one or two which show levels above our standards and our criteria that we're concerned about. However, the wells generally on the reserve are safe; they're below the three picocuries per litre.

We have been testing the water itself, the raw water from the Serpent River, and we feel that there is some danger from drinking there and therefore, that the wells should be corrected and used as a source of drinking water.

As the article this morning says, there is some difference of opinion regarding criteria. We feel that ours are more accurate and more realistic, but we're satisfied that if we continue working with the federal government there will be a source of clean drinking water for those natives on that reserve.

Mr. S. Smith: By way of brief supplementary, would the minister not feel that the time has come to insist that the tailings from the various mines in Elliot Lake be returned to the mineshaft wherever possible? Isn't it time we actually embarked on a sensible policy of that kind?

Hon. Mr. Kerr: Yes, that is one of the terms of reference, shall we say, of the Environmental Assessment Board, that before the two companies that are in Elliot Lake expand their operations or carry out uranium mining, they not only look after existing abandoned tailings areas but they also look after any tailings areas that will result from their expansion and activities there.

FRENCH-LANGUAGE EDUCATION

Mr. S. Smith: Mr. Speaker, a question for the Premier, if I might, regarding the difficult situation—admittedly very difficult situation—which has arisen over the past years in the area of Windsor regarding a possibility of a French-language secondary school: Is the Premier prepared to intervene in some way, to use his own prestige and authority to help the two sides come together, to offer perhaps whatever funds might be necessary to help resolve the problem without bitterness, so that what seems to be turning into a rather nasty running sore could be healed in time at least for the whole process of national unity, not to be in some way distorted by the difficulties in that area?

Hon. Mr. Davis: The Minister of Education informs me that Mr. McLeod, who is attempting to mediate some of this, is still in the community. He has not submitted a report, but when that occasion takes place we'll be delighted to communicate that information to the member for Hamilton West and to other members who represent these constituencies.

Mr. S. Smith: By way of supplementary, I can understand wanting to wait for this report, but could the Premier give us some indication of when this report is expected and could he perhaps take some action to hurry it up if possible, so that the feeling there can be dealt with and the matter healed and Ontario improved generally as a consequence?

Hon. Mr. Davis: I can't give the leader of the Liberal Party any indication as to when this report will arrive. The minister has himself over the past several months, I know, had a number of meetings. Perhaps the leader of the Liberal Party has discussed this with his own member for Essex South, who I understand has some views on this and perhaps has been, as the local member, attempting to reconcile some of these. I am not sure of that, but I would assume that he has, and has communicated this to his leader.

Mr. Sargent: You are the one who is in trouble, not him.

Mr. Speaker: Order, please.

Hon. Mr. Davis: I would say to the member for Grey-Bruce, before he gets into something about which he knows nothing, which is not unusual, he should check with his fellow member before he says too much. It's one of those occasions when, if he thought a little bit first before he spoke, it would stand

him in very good stead. I know it is unusual, it would be uncustomary—

Mr. Sargent: It is not true.

Hon. Mr. Davis: —it has never happened before, but I would suggest with respect he do it.

Mr. Conway: Is that creative tension, Bill?

Mr. Roy: Mr. Speaker, if I might just ask a brief supplementary of the Premier, if I can get his attention.

Hon. Mr. Davis: You have my undivided attention.

Mr. Roy: Recognizing the difficulty, as we all do, and I think as my leader does, and I am sure the Minister of Education does as well, and recognizing the fact that taxation or money is one of the issues, would it not be possible for the Premier, in view of the demand by the people in the community and in view of the difficulty by the taxpayers in that community in paying additional taxes—God knows, school taxes are high enough—to give some consideration to the province accepting the full load of taxation for this type of project?

Hon. Mr. Davis: Actually if the member will go back in Hansard a few years, if he wishes to, we have had as I recall it a number of French-language high schools built. They have been built in a number of communities with very little difficulty. There were additional funds provided and there have been certain financial suggestions made, if memory serves me correctly, in Essex, and I think I am right in saying the concern in that part of the province is not totally related to the matter of finance. Some of the member's colleagues who, I think, are very close to this situation will acquaint him of that fact.

[3:15]

DEVELOPMENT OF JUNIOR MINES

Mr. S. Smith: I have a brief question for the Premier. Regarding the Ontario Securities Commission, can the Premier now report to the House the findings of the advisory board which he set up regarding policy 3-02, the regulations on junior mines? Considering that they have now had over three months to prepare it and that the Premier replied on November 2 that he'd be reporting by

the end of this year, is he prepared in fact to make that report?

Hon. Mr. Davis: The Minister of Natural Resources (Mr. Bernier) is much closer to this matter than myself. I'm going by memory now, but I think the committee expects to have the report by the end of the year. We are anxious to receive it. It may be one of those reports that the member for Hamilton West may read about during the period from 10:30 to when we get together again in this friendly fashion.

PROVINCIAL LOTTERY

Mr. S. Smith: This question was intended for the Minister of Culture and Recreation, but perhaps I could ask the Provincial Secretary for Social Development. Regarding the provincial lottery policy, the second draw is coming up in about two weeks' time. Could the minister tell us whether there is yet an outline outlining the directions planned for how the money is to be utilized, a policy which is to underline the utilization of this money? Can she give us some assurance that the money will not be thrown at medical research in such a way as actually to distort the entire structure of medical research in this province?

Hon. Mr. Davis: Only in psychiatry.

Mr. S. Smith: No, it can distort it if you just throw the money.

Hon. Mrs. Birch: In answer to the member for Hamilton West, I can just assure him that there is a great deal of consultation going on at the moment. I can also assure him that there will not be a great deal of money thrown into medical research without a great deal of thought being considered beforehand.

Mr. S. Smith: By way of supplementary, could the minister give us some indication of when we can expect an announcement of how the policy is to be implemented? Secondly, could she tell us whether the government is planning to use either the structure of the Medical Research Council or a similar Ontario structure to give guidance with regard to the awarding of various grants under this programme?

Hon. Mrs. Birch: At this time I am in no position to comment on the question posed by the hon. member, but just again I can reassure him that it is being given a great deal of attention by the people in the policy field.

Ms. Bryden: Supplementary: I'd like to ask if there is any intention to involve the Legislature in this consultation and discussion so that we may have some opportunity to consider how this money should be allocated?

Hon. Mrs. Birch: At this time I'm in no position to answer that question either.

Mr. Roy: Supplementary: Could I ask the minister why she would not follow the policy of her leader who told the House on July 15, 1976, that prior to the expenditure of any funds the members opposite certainly should have every opportunity to comment on it? Why won't she follow that policy?

Hon. Mr. Davis: Why don't you comment?

Mr. Roy: That's right. Give us an opportunity.

Hon. Mr. Davis: You have it. You had the whole budget debate.

Hon. Mrs. Birch: I don't think I denied that members opposite will not be given that opportunity.

Mr. Roy: You had better think about it.

Mr. Speaker: Order, please. We're getting a lot of supplementaries and we've been quite a few minutes now into this.

Mr. Godfrey: Supplementary: Can the minister tell us when funds will first be made available?

Hon. Mrs. Birch: I cannot.

Mr. Peterson: Supplementary: Can the minister tell this House what happened to the approximately \$10 million that was Ontario's share of the Olympic lottery? What has the government done with that money?

Mr. Cunningham: The Minister without Portfolio (Mr. Henderson) has it.

Mr. Speaker: Order, please. That is not supplementary.

Mr. Peterson: That is very important, Mr. Speaker.

Mr. Speaker: It's important yes, but not at this particular moment.

Mr. Peterson: It's Christmas-time. Please be charitable, Mr. Speaker.

SALE OF APARTMENTS

Mr. Foulds: I have a question for the Minister of Consumer and Commercial Relations and would beg the attention of the

Attorney General and the Minister of Housing.

Is the minister aware that Vroom Development (Central) Limited has evidently found a way to circumvent The Condominium Act, The Planning Act and The Landlord and Tenant Act by selling apartments in Waverley Park Towers in Thunder Bay, possibly forcing the tenants there either to buy or to seek other accommodation? Further, is he aware that his ministry has always known of the loophole that exists through common law in this respect and will he take action to plug that loophole?

Hon. Mr. Handleman: I don't know how many times we have to announce this: There is no loophole. You cannot sell an apartment except through The Condominium Act.

Mr. S. Smith: You can sell shares in the building.

Hon. Mr. Handleman: The person buying shares in an apartment house is not entitled to occupancy. You cannot buy a single unit except through The Condominium Act. I repeat it again: There is no loophole such as described by the hon. member. We know of people who think there is, but we have repeated several times that you cannot do it legally, and as far as we know there is no way of doing it.

Mr. Foulds: Supplementary: If that is the case, will the minister advise Vroom Development (Central) Limited, after examining the letter and the contract that they have sent out to the tenants, that the action they are taking is, in his opinion, illegal?

Hon. Mr. Handleman: For one thing, I don't know what they are proposing. We know of the scheme whereby certain apartment owners, in order to get their equity out, are saying to tenants in those apartments: "If you buy your unit, we will be glad to sell it to you." They can't do that. They can sell them shares in an apartment building or an interest in an apartment building, but owning shares in an apartment building does not give any purchaser the right to occupancy under The Landlord and Tenant Act. This has been cleared with the Attorney General. If the hon. member would like to send me the literature, we will tell them what the Act requires. We can't say it's illegal because we don't know what they're asking people to do.

Mr. Kerrio: You need a free-enterpriser over there, Jim.

Mr. Speaker: Order, please.

OHC MANAGEMENT CONTRACTS

Mrs. Campbell: My question is to the Minister of Housing: In view of the concerns which have been expressed, both publicly and privately, by tenants in Ontario Housing Corporation projects with reference to the management contracts—those which are contracts with the large developers—has the minister investigated these contracts? Is he aware of the contents and the responsibilities under them and will he table those in this House so that we may also know what the contents are?

Mr. Philip: In other words, answer the question that I asked in the previous session.

Mr. Speaker: The Minister of Housing will answer the first question, please.

Mr. Mancini: If he asked a question—

Mr. Speaker: Order, please. Order.

Mr. Eakins: He wants the credit, John.

Hon. Mr. Rhodes: He can use as much credit as he can get.

Mr. Ruston: Yes, he hasn't got much.

Hon. Mr. Rhodes: I am not familiar with all of the individual contracts. I have looked into that matter. I understand that there are some variations in the various contracts. If my memory serves me correctly, I was advised that there were going to be some changes made in the various contracts as they came up for renewal. As far as tabling them in the Legislature, I would like to take the time to see if that can be done without any legal complications involved with the companies that are managing the buildings.

Mrs. Campbell: Supplementary: In view of the answer of the minister, and in view of the fact that he has given an undertaking earlier this year to table some of these Ontario Housing documents, could I ask how much longer we have to wait for him to review the situation and see that the House has the information?

Hon. Mr. Rhodes: I think the hon. member, along with others, is aware that I had indicated I could see no problem, from my point of view, of tabling the minutes of the Ontario Housing Corporation provided we did not interfere with the rights of third-party individuals who might be involved, and that we would not jeopardize the position of the members of the board as far as law is concerned.

My legal advice at the present time is that it would not be proper to table the

entire contents of the OHC minutes as was requested by motion on the books from the hon. member for Wilson Heights; this would create legal problems and implications for the members of the board and possibly for the ministry itself as it involves—

Mr. Sargent: And the government would fall too.

Hon. Mr. Rhodes: I'm sorry, Mr. Speaker; I didn't hear the comment that was made.

Mr. Speaker: Will the hon. minister ignore the interjections?

Hon. Mr. Rhodes: Mr. Speaker, I will listen to the interjection and ignore the source.

If I can clear the problem as it relates to the legal implications for third parties involved, I will have no problem at all with tabling that material in the Legislature. It won't bring the government down—if I have to go down anywhere, I'll find the member for Grey-Bruce there.

Mr. S. Smith: Did you have a cocktail with lunch today?

Hon. Mr. Rhodes: No, I don't drink.

Mr. Speaker: The hon. Minister for Education has the answer to a question asked previously which he may give now.

ENGLISH FOR NEW CANADIANS

Hon. Mr. Wells: Mr. Speaker, a short time ago the member for Oakwood (Mr. Grande) raised a question about the English as a second language programme at Heydon Park Secondary School, Toronto.

In responding to that question I pointed out that although local education authorities have a high degree of local autonomy in this area of decision-making, I would be pleased to look into the matter. Discussions with the principal, Mr. Edgar, indicated that although only one teacher was assigned to the ESL programme in September, two teachers have been involved on a full-time basis since October.

The additional teacher was added to the programme because more students who needed English as a second language programmes were identified during the month of September. Since October, each student in the English as a second language programme has been receiving 15 periods a week of 40-minute duration. I understand at the present time the pupil-teacher ratio is about 13 to one in each of four classes.

CLOSURE OF TEXTILE PLANTS

Mr. Davidson: A question to the Minister of Labour: Given the fact that the following textile companies have closed down since November, 1975—Malibu Fabrics of Smith's Falls; Burford Textiles of Burford; Campbellford Cloth of Campbellford; Riverside Yarns of Cambridge; Armstrong Cork of Peterborough; and Versatile Knitting of Cornwall—

Mr. Riddell: Textrol of Goderich.

Mr. Davidson: —can the minister inform the members of this House what, if any, retraining and upgrading programmes have been implemented to assist these people in seeking other types of employment in these areas?

Mr. Samis: Good question.

Hon. B. Stephenson: Although I am aware of the development of Manpower adjustment committees in several of those locations, I am not sure if they have been established in all of them. This service is offered by the Ministry of Labour whenever such a shut-down occurs and has been reasonably successful in many areas.

The reason for the shutdown of many of these plants, of course, has been the competition which imported fabrics have supplied for Canadian-made products. Perhaps it may not be unrealistic to hope that some of them may reopen as a result of the action taken by the federal government in the past two weeks.

The actual retraining programmes, of course, as the hon. member is aware, are under the jurisdiction primarily of the Ministry of Colleges and Universities with which we have excellent and continuous communication.

Mr. Davidson: Taking into account the sector analysis put forward by the Ministry of Industry and Tourism which indicates that mobility is low and many of these workers would find it difficult to obtain alternative employment opportunities, and considering that many of these plants were located in small areas where the employment opportunity is limited at any rate, does the minister not think that rather than wait for someone to come and approach her to implement a programme, the programme should be implemented by her ministry immediately?

Hon. B. Stephenson: The service is offered by the Ministry of Labour as soon as we hear

of an impending close-down of any plant. We do not wait for the individuals responsible to contact us. We make the contact.

PURINA PLANT

Mr. O'Neil: Mr. Speaker, I have a question of the Minister of Industry and Tourism.

With regard to a new Purina plant for the town of Trenton, can the minister please tell me if he is aware that in the late spring of this year the Minister of Community and Social Services (Mr. Taylor) announced a new agricultural industry to be built in the Trenton area? By the way, I should mention that it was a little hard to understand why the Premier didn't call me personally to let me announce this but I suppose—

Hon. Mr. Davis: I did; you were out. I tried three times. I may have had the wrong number.

[3:30]

Mr. O'Neil: You may have.

However, since this release originally came from the Ministry of Agriculture and Food and concerned the building of a \$3 million plant by Purina, can the minister tell me whether Purina is proceeding with plans for construction?

Hon. Mr. Bennett: Mr. Speaker, that question should be directed to the Minister of Agriculture and Food.

Mr. O'Neil: I wonder if I could redirect it to the minister, please?

Mr. Speaker: Redirect it, yes.

Hon. W. Newman: I believe I caught part of it. The member is talking about the Purina plant. They had considerable time under the ARDA programme getting federal approval for their part of the funding. We did get their portion of the funding approved. Our portion was approved. It was a corporate decision, I believe, at this point in time not to proceed at this point in time. It doesn't mean the project is dead, but this is a corporate decision of Purina themselves.

Mr. O'Neil: As a supplementary then, since both Purina and the officials of the town of Trenton had asked that the details of this announcement be kept confidential until all plans were finalized, can the minister tell me whether the premature announcement by someone other than the company or its elected member resulted or may have resulted in this cancellation?

Hon. W. Newman: Mr. Speaker, you know that is just a—well, no, I'll answer the question.

Interjections.

Mr. Speaker: Order.

Hon. W. Newman: We are expending public funds under the ARDA programme. We are putting provincial dollars in and federal dollars in, and once that has been approved, and it was asked for by the company, then it is public information. We don't hide our funds anywhere. We want people to know about them. This has nothing to do at all with this corporate decision.

Mr. O'Neil: Supplementary: In the announcement of the new industry it was said by the Minister of Industry and Tourism that any announcements were kept confidential until such time as the company wanted these announcements made, and I think there should be some clarification on this matter.

Mr. Speaker: Is there a question? Order, please. No comments are necessary.

Hon. W. Newman: When there is public money involved, when an application is made to ARDA for funding, once that has been approved that is public information and every company knows that.

Interjections.

Mr. Speaker: Order, please, the side conversations are interfering with the progress of the question period.

HAWKESBURY WATER POLLUTION

Mr. Samis: To the Minister of the Environment: Notwithstanding the amazing ability of the Ottawa River to absorb almost anything, can he explain to the House why charges have not been laid against the CIP mill in Hawkesbury in view of its deplorable record of discharging dissolved waste which is worse than any other pulp and paper mill in Ontario and four times that of Reed?

Hon. Mr. Kerr: The mill in Hawkesbury does pose a problem. It is not the worst in the province really. There are others.

An hon. member: Tell us who is the worst.

Mr. Speaker: Order, please. The hon. minister is answering the question.

Hon. Mr. Kerr: Again, as the hon. member says, the assimilative capacity of a receiving stream is taken into some consideration, par-

ticularly the Ottawa River, which as the hon. member knows, is an interprovincial river—

Mr. Breithaupt: But the polluters will pay.

Hon. Mr. Kerr: —soon to be international, who knows?

Mr. Conway: Do you know whether it is wet or not?

Mr. S. Smith: It's all right if it goes to Quebec.

Mr. Speaker: Order, please. Can we get on with the answer now?

Hon. Mr. Kerr: That plant is one of the plants that are under a control order, or a control order is being negotiated. The city of Hawkesbury, of course, itself is the problem, and hopefully both of those matters will be looked after during the next fiscal year.

Mr. Samis: Supplementary: In view of the fact that the record of this plant in terms of dissolved waste has worsened, not improved, since 1970, and in view of the fact that two other mills within 50 miles have improved their record very, very noticeably—namely the Eddy plant in Ottawa-Hull and the Domtar plant in Cornwall—what assurance can the minister give the people in this area that his government will do something to stop the deterioration of the water conditions because of this mill?

Hon. Mr. Kerr: I might say that Hawkesbury generally, period, is the last remaining problem area for our government on the Ottawa River. The city will undertake sewage treatment works this coming year—there are funds in the budget for that—and our concern about the CIP mill will also be looked after this coming year.

Mr. Conway: The minister mentioned that a control order was being negotiated; am I and the hon. members to assume that it is a normal practice to negotiate control orders?

Mr. McClellan: That's exactly what he said.

Hon. Mr. Kerr: What we do is discuss with the company the requirements of our ministry and then set down, under an order, certain requirements to be done over a period of time, usually a five-year period. During that five-year period certain deadlines are established in the control order. We attempt to get the approval of the company—

Mr. R. S. Smith: That order has been there since 1965.

Mr. Riddell: Remember the words of the Hon. George Kerr when he said the polluters will pay.

Hon. Mr. Kerr: Can I answer the question? I attempt to get approvals during that five-year period—the consent of the company. If the company doesn't agree with our directions and our timetable and scheduling then the order is issued in any event.

Mr. Peterson: A supplementary—

Mr. Speaker: No, that was a final supplementary.

Mr. Peterson: There was only one supplementary.

Mr. Speaker: It was the final supplementary.

APPOINTMENT TO ENVIRONMENTAL APPEAL BOARD

Mr. Cunningham: My question is to the Minister of the Environment. Would the minister confirm whether or not he has appointed Mr. David Coons of Burlington to the Environmental Appeal Board?

Hon. Mr. Kerr: That is public knowledge. That's gazetted in this Legislature and the answer is yes.

Mr. Cunningham: By way of supplementary, if I may, was Mr. Coons your campaign manager in the last two elections?

Hon. Mr. Kerr: Yes, right.

Hon. Mr. Bennett: That qualifies him to have good judgement.

Mr. S. Smith: He has no experience, absolutely none.

MERCURY POLLUTION IN FISH

Mr. Wildman: I have a question of the Minister of the Environment if he has recovered from the last one. In view of the fact that the ministry has announced that the mercury level in pickerel in Batchawana Bay is two to three times the levels acceptable anywhere in the world, can he inform this House what he is doing to determine: First, the levels among other species of fish in the bay, that is, lake trout and others, and in other areas of eastern Lake Superior;

second, the source of the mercury pollution; third, the effect on area people who MNR is encouraging to do sports fishing in Batchawana Bay? Can he tell us what he is doing to find out the source and what he is doing about it?

Hon. Mr. Kerr: My information is that the hon. member's analysis of test results is some months old and this is somewhat the same condition that exists in a number of lakes in that area.

The walleye, I believe, is the one source that is of concern to us, mainly because of the size of some of the walleye which have been tested. The other fish have also been tested. I'm surprised the hon. member has not had results from certain other species as well. My information is that the results are available for those species.

We are having problems in locating some of the source. We are convinced there is a natural source of mercury in that area. There doesn't seem to be any plant which is directly flowing into that lake. There doesn't seem to be any mine which may be a source of mercury. It's possible that emissions from plants within a 100 mile radius may be responsible but there must be a natural source which is prevalent in other parts of the province which is now contaminating fish.

Mr. Wildman: A supplementary: Is the minister not aware that an official of his ministry stated this morning in Sault Ste. Marie the test results on pickerel and went on to make an explanation on the radio, publicly? Is he also aware that the Ministry of Natural Resources is in the process of trying to get an agreement from local cottage owners for a boat launching site there to make it possible for there to be more sport fishing at Batchawana Bay?

Hon. Mr. Kerr: I haven't heard the radio programme the hon. member refers to but I'm sure that what that particular official said would indicate the reason there are high readings in walleye. I'm not aware of the Ministry of Natural Resources building a boat ramp there. I'm not aware of that. I am certain if there are high levels of mercury readings in that lake that warnings have been posted.

ASSISTANCE FOR HOCKEY TEAMS

Mr. McKessock: I have a question for the Minister of Culture and Recreation. In view of the fact that some municipalities this winter are without arenas and have to go to

neighbouring towns to play their hockey games, and in view of the fact that crowds away from home aren't as good and their gate receipts are down and they are having trouble carrying on, would the minister make available funds through Wintario to help pay for their ice time and referees away from home?

Hon. Mr. Welch: I know something about the problems that are being experienced in some of these municipalities, but if one were to look at the guidelines or the criteria for Wintario it's not for operating expenses. If, however, there are some competitions or some type of an activity to which they have been invited—various teams have been invited to invitational matches—it may be that Wintario criteria could be made to apply.

However, so that there is no misunderstanding with respect to my answer, the rental of ice time and the normal expenses incidental with respect to league operations are not eligible for Wintario assistance.

Mr. McKessock: Supplementary: I was well aware that this didn't fall under the present regulations but under the special circumstances of this year with these arenas not available in their home towns, could consideration not be given to make an adjustment?

Mr. Speaker: That's a repeat of the first question, I believe. Is there any further elaboration?

Mr. Reid: Will the minister reconsider his policy of not allowing municipalities to raise the 25 per cent of the extra cost for arenas through the selling of debentures or through municipal taxes rather than their having to raise them voluntarily in the community?

Mr. Speaker: That really had nothing to do with the intent of the original question.

The oral question period has expired.

Petitions.

Presenting reports.

REPORTS

Hon. Mr. Bennett tabled the annual report of the Ontario Research Foundation for the year ended December 1, 1975.

Mr. Speaker: Does the hon. member for Essex South have a point of order?

Mr. Mancini: I have a petition to present.

Mr. Speaker: I am sorry. We will revert to petitions then. I didn't notice the hon. member standing up.

PETITION

Mr. Mancini: I beg leave to introduce a petition from the great riding of Essex South. The petition numbers 3,047 names and is also signed by myself. It reads: "We, the citizens of Harrow, Colchester South and Colchester North oppose the 30 per cent cutback to the Gerald Smith ambulance service by the Ministry of Health."

Mr. Speaker: May I just elaborate? I didn't see the hon. member standing up because the lights were in my eyes. I want to make that clear.

REPORTS

(continued)

Hon. Mrs. Birch presented the annual report of the Ontario Status of Women Council.

Hon. Mrs. Birch: The report covers the council's activities and recommendations from October, 1974, to April, 1976. The effective leadership and commitment of Laura Sabia, past chairman of the council, and the dedicated efforts on behalf of women in our province by all of the council members are reflected in this very fine report.

I am sure also all members of the Legislature would want to join me in wishing the newly appointed chairman, Lynne Gordon, and the present council much success in their future endeavours and in welcoming Mr. Andrew Paton of the council, who is with us here this afternoon.

[3:45]

Hon. W. Newman presented the 10th annual report of the Crop Insurance Commission of Ontario and the annual report of the Agricultural Research Institute of Ontario.

Hon. Mrs. Birch presented the 1975 report of the Interministerial Committee on Residential Care.

Hon. Mrs. Birch: The committee was established to co-ordinate the relevant data concerning all forms of residential care for the elderly. As the work progressed it became obvious that there was a need to look into the financing and operating policies of a range of facilities that went well beyond the care of the aged. The report, the result of an expanded mandate, has served as a working document for a number of ministries and for the Council on Troubled Children and Youth. Copies will be available on request from the Ministry of Community and Social Services.

Mr. Germa from the standing public accounts committee presented the committee's report which was read as follows:

Your committee recommends: That on the prorogation of the House the standing public accounts committee be continued with authority to sit during the interval between sessions to consider those items of business outstanding in the committee, namely:

1. Ronto Development Corporation tax remission;
2. Minaki Lodge expenditures;
3. Examination of OHIP payments to licensed practitioners;
4. Any other matters the committee deems urgent.

And to compel the attendance before the said standing committee of such persons and the production of such papers and things as the committee may deem necessary for any of its proceedings and deliberations for which the Honourable the Speaker may issue his warrant or warrants.

Furthermore, that the committee may request such coverage of its proceedings by Hansard and the printing of such papers as the committee deems appropriate.

The committee will meet at the call of the Chair or on a majority of committee members.

Hon. Mr. Welch: Mr. Speaker, as we speak to this particular report, I think we should draw attention to the fact that this procedure has not been followed too frequently. In fact, I suppose if there is a precedent for it, there may be only one or two. Appreciating the fact that this committee has some unfinished work, which is set out in points one, two and three of the motion, it has been agreed in consultation with the official opposition that we would delete point four in order to make it quite clear that the committee as a standing committee is being authorized to meet after prorogation to deal with those three items; In other words, Ronto Development, Minaki and the examination of OHIP. Therefore, I would move, seconded by Mr. Deans, that point four be deleted.

I would also draw attention to the fact that later on today we will be talking in terms of the Hansard reporting of committees. It may be, in fact, that we should make sure that the second last paragraph dealing with Hansard is specific in that if Hansard coverage is required, it would be for recording purposes only; there would be no transcription of the results of the recording, but the recording would be available. I would like to suggest that amendment.

With those two changes, the deletion of number four with respect to what the committees will do and the understanding with respect to Hansard, we are prepared to support that.

Mr. Speaker: May I have your amendment in writing, please? In the meantime, I think you have all heard the amendment to the motion; that is, that point 4, I believe, is meant to be deleted. Was there to be another part to the amendment? That was the only part of the amendment? All right. I think we understand that. Do we have any further comments?

Mr. Deans: Since there seems to be a momentary delay, I just want to say that it seemed to us in reviewing the request of the public accounts committee that it would not be a good precedent to give carte blanche to any committee to conduct hearings in whatever area it so desired. The general rule which we believe should be applicable in all circumstances is that committees should do work as delegated to them by the Legislature or work for which approval has been given by the Legislature to be undertaken. The public accounts committee is doing such fine work at the moment that it seemed that it should be given the opportunity to continue with that work and to reach a point where we might get the answers to many unanswered questions.

Mr. Breithaupt: With respect to this motion before the House, we have reviewed, with the members who have served on this committee, the proposal made by the government House leader and we are prepared to accept those terms of reference.

I agree with the House leader for the official opposition that it is perhaps best to have specific items referred to a committee, if the committee is to continue, just as specific items are referred to select committees as those committees are developing their work pursuant to the responsibilities given to them by the House. I think that if the committee is able to deal satisfactorily with these three items over the period before a new session begins it will, indeed, be accomplishing a substantial amount of work.

We will support the deletion of item four and we agree with the approach taken with respect to the matter of Hansard for the committee.

Mr. Williams: In speaking to this matter, I do have concerns and I would ask the House leader to consider that in giving notice of these meetings a reasonable period of time

be provided. There's no provision in the motion, as I understand it.

I spoke on a matter of privilege earlier this afternoon, pointing out that there's been two special meetings of this committee called to which no members of the Conservative Party were invited. I spoke of the other special meeting called yesterday for which 15 minutes' notice was given. As a result of that I was not able to attend either of those meetings and I think other members were in the same situation.

I think if there are going to be ongoing meetings of a special nature of the committee, in all fairness to all members of the committee, there should be appropriate lead time given as notice of these meetings, whether they are called by the chairman or a majority of the members of the committee.

I cannot accept that the committee would function well if we're not given sufficient time to make arrangements to attend these meetings when they might be called. I'm wondering therefore, if consideration could be given to this situation.

Mr. Deans: You should be here doing your job.

Mr. Williams: I can't be there when I'm not called to a meeting, when I have no notice of a meeting.

Mr. Speaker: Order, please. We're speaking to this amendment.

Mr. Williams: Frankly, what angers me is that no notice was even given to members, in some instances, of these special meetings. I think some arrangement has to be made to correct that deficiency which exists in the present procedures and I think it's a reasonable request to have considered.

Mr. Speaker: I think the hon. member is discussing something in the past. On this particular motion, I'm sure the hon. member will agree that he'll be getting notice of whatever meeting there is called.

We have the motion written here; perhaps I should place it so we'll know what it's about:

Hon. Mr. Welch moves that the motion, as presented by Mr. Germa, be amended by deleting item four of those items of business outstanding in the committee, and further that any Hansard coverage be by way of recording only, without transcribing.

Motion, as amended, agreed to.

POINTS OF PRIVILEGE

Mr. Lewis: Mr. Speaker, I would like to rise on a point of privilege, if I may beg the Chair's indulgence. I think the Chair will understand because it's a trifle difficult.

Before the orders of the day today, a number of members of the Legislature, cabinet ministers and members of opposition parties, rose to speak to the question of the publication in the *Toronto Globe and Mail* and other subsequent journals and on the electronic media, of information which was given to the public accounts committee by the OHIP staff. I shared the disappointment and regret expressed by the Attorney General and other members of the House that it could have happened. I could barely believe it or credit it at the time.

I thought that, as always, the Minister of Health put it with simplicity and candour, that these things do actual and potential damage to the system and for that I am very sorry.

Mr. Speaker, I regret to say that I learned within the last hour or 1½ hours that it was a member, a colleague in my caucus, who was responsible for making the material accessible to the media, my colleague from High Park-Swansea (Mr. Ziemba). I have told my colleague of my deep disappointment at the act, at the way it can compromise colleagues, at the way it can jeopardize the public accounts committee, and at the way in which it can reinforce a cynical view of politics.

I have asked him, and he has of course agreed, to resign from the public accounts committee. I think that he genuinely understands the error in judgement which was made and is profoundly unhappy about it. For the moment, I have no more to say than that. I hope the House isn't in as punitive a mood as some of the interjections may suggest. I think my colleague wants to say something to the House and I would ask you to allow him to do it, sir.

Mr. Speaker: I will hear the hon. member.

Mr. Ziemba: Mr. Speaker, as my leader has said, the material released to the press was made accessible by me. At the time I did it wholly without malice. I was not at the committee meeting yesterday and simply did not realize how serious was the motion and promise of confidentiality. Sometimes, I concede, I handle politics badly. I have a great respect for the process and the last

thing in the world I wish to do is bring disrepute upon politicians or political parties.

I offer my regrets and my profound apologies to the Legislature, and beyond. I guess this is the second time I have apologized to this House, Mr. Speaker. I am bound and determined that it will never happen again.

Mr. Speaker: Thank you very much. I think no further comment is necessary.

Motions.

Hon. Mr. Welch moved that Mr. Hodgson be substituted for Mr. Smith, Simcoe East, on the select committee on company law, but that upon the receipt of a written application by Mr. Smith, Simcoe East, to the Clerk of the House, Mr. Smith be substituted for Mr. Hodgson.

Motion agreed to.

Hon. Mr. Welch moved that Mr. Drea be substituted for Mr. Hodgson on the standing public accounts committee.

Motion agreed to.

Mr. Speaker: Introduction of bills.
[4:00]

CHILDREN'S LAW REFORM ACT

Hon. Mr. McMurtry moved first reading of Bill 191, An Act to Reform the Law respecting the Status of Children.

Motion agreed to.

EDUCATION AMENDMENT ACT

Mr. Stong moved first reading of Bill 192, An Act to amend The Education Act 1974.

Motion agreed to.

Mr. Stong: This bill defines compulsory school age and special education and guarantees every child of compulsory school age a right to an education as opposed to a right to attend school. It requires every school board in the province of Ontario to establish special education programmes particularly for those children suffering from learning disabilities.

Mr. Speaker: Any further bills? The hon. member for Ottawa-Centre.

Mr. Cassidy: Thank you, Mr. Speaker. Incidentally that is the second bill on that subject.

RESIDENTIAL PREMISES RENT REVIEW AMENDMENT ACT

Mr. Cassidy moved first reading of Bill 193, An Act to amend The Residential Premises Rent Review Act 1975, Second Session.

Motion agreed to.

Mr. Cassidy: The purpose of this bill is to extend rent review in Ontario beyond the expiry date of July 31, 1977, now set out in the Legislation. The process by which rent review has worked since the beginning of 1976 is unchanged in these amendments. We are introducing it at this time because of our total frustration at the continued indecision and procrastination of the cabinet over this rent review issue.

Mr. Speaker: Before the orders of the day, I'm sure all the members are aware that this is expected to be the last day of sitting and as is customary—

Interjections.

Mr. Speaker: —we read into the record the names of the young ladies and gentlemen, our legislative pages, who have been serving us well and safely for the last seven weeks. I shall do that now.

Paul Atkins, Weston; Michael Bednarz, Willowdale; Douglas Cameron, Oakville; Michael Darby, Thornhill; Henry deRuiter, Brampton; Cathy Farrow, Toronto; Sue Fleming, Toronto; Melanie Forster, Mississauga; Graham Freeman, Toronto; Marti Gregory, Mississauga; Lars Hansen, Maple; Michael McCallen, Rexdale; Missy Newman, Ashburn; Valerie O'Neil, Thunder Bay; Joanna Pace, North Bay; Janine Roth, Whitby; Wendi Scholfield, Cobourg; Ben von Schwerin, Scarborough; Alastair Westgarth, Bowmanville; Donna-Lee Zmenak, Grimsby.

As is customary, we shall send them a copy of the Hansard so they will know their names are down in the history of this province. Thank you.

ANSWERS TO WRITTEN QUESTIONS

Hon. Mr. Welch: Before the orders of the day, Mr. Speaker, I wish to table the answers to questions 67, 96, 179 and 194 standing on the notice paper. In addition, questions 143, 161, 162, 163, 164, 167, 172, 174, 175, 180, 181, 183, 184, 185, 186, 187, 188, 189 and 198 standing on the notice paper.

(See Appendix A)

Mr. Angus: You forgot Merry Christmas.

Hon. Mr. Welch: Before calling the first order, we had a somewhat flexible programme planned for this afternoon so that if by chance we didn't finish everything except the windup by 6 o'clock we might invade the supper hour to the extent we needed that extra time. If we have general agreement with respect to that, people can plan their evening meal around that, rotating possibly.

Mr. Speaker: Do we have this agreement?

Agreed.

Orders of the day.

FUNERAL SERVICES ACT (continued)

House in committee on Bill 171, The Funeral Services Act.

On section 5:

Mr. Wiseman: When we left off last night, we were at section 5(4). I wonder if we could just back up a little, in keeping with the amendment we accepted from the member for Durham East to delete the words in section 5(1) "or directing the providing of." So that the bill will have continuity, I would move an amendment.

Mr. Chairman: Mr. Wiseman moved that section 5(3) of the bill be amended by deleting the words "or directing the providing of" in the second and the fifth lines.

Mr. Wiseman: This will go along with the amendment that we accepted earlier.

Mr. Moffatt: I'd like to urge that that take place. The parliamentary assistant did indeed give me copies of those amendments and asked that I move them the last day, but during the heat of debate and discussion around this bill they were omitted. I think we should proceed as he asks.

Mr. Chairman: Do we have unanimous consent to revert to those sections in the interests of uniformity?

Agreed.

Amendment agreed to.

Mr. Moffatt: Before the Chair now is an amendment to section 5(4). After consultation with the member for Waterloo North and with the parliamentary assistant at the close of the House last evening, we decided that that amendment might be better withdrawn because it would appear that if it were passed, it might work some undue hardship in some remote rural areas. With the Chair's per-

mission, I would like to withdraw that amendment.

Mr. Chairman: Do we have the concurrence of the committee to do that?

Agreed.

Sections 6 to 9, inclusive, agreed to.

On section 10:

Mr. Chairman: Mr. Bounsall moves that a new subsection 5 be added to section 10 of the bill as follows:

"(5) Every person at the time of the purchase of services shall be informed in writing of the existence of the complaints committee and the procedure to file a complaint."

Mr. Bounsall: I'll speak very briefly to it as it's self-explanatory. Of the four committees which are formed under the Act, the executive, licensing, complaints and discipline committees, this is the one that affects the public. If we have a complaints committee, hopefully it will not need to be in operation that much. But it strikes me as being reasonable that the public of Ontario should easily find out about its existence, so they could use it when in their minds the necessity arises and that the simple procedure of how to file a complaint be made known at the same time. I have in mind simply a small card available when the purchaser has completed—it's probably best upon completion—the arrangements for the funeral service. They can simply be handed a card by the funeral establishment director which contains the information that there is a complaints committee should they feel the wish or the need to file a complaint. It can be operated by simply writing to the following person at the following address.

That's what I had in mind with this amendment.

Mr. Chairman: Any other comment on the amendment?

Mr. Good: I feel badly that this type of amendment is being brought to this bill. It appears that the whole emphasis of the party to the right is that you can't trust anyone in the province of Ontario and you've got to develop a spirit of confrontation between customer and service, no matter where it is. I don't think this is necessary.

The present Act requires, and I'm sure the new Act will require, that the licence of the person is hung in a prominent place in every establishment. The licence of the establishment will be there. I'm sure under this Act the

board can establish a code of ethics. The code of ethics will be displayed in a prominent place.

This idea of walking into any establishment and the first thing that happens is the proprietor has to give you a card which would say, "You can complain against me by doing this and that" —to me, that is not the spirit of any group in the province of Ontario doing business with the public.

I've given many reasons previously on why I feel the present Act will work very well as it is written. I would have to say that I couldn't support this type of amendment.

Mr. Chairman: Any other comments?

Mr. Wiseman: Mr. Chairman, I'd only say that we can't support this bill for a lot of the reasons the—

Hon. B. Stephenson: The amendment.

Mr. Wiseman: —the amendment, I'm sorry —for a lot of the reasons the member for Waterloo North has mentioned. I wanted to say that we don't ask a doctor, a lawyer, or anyone like that, when we go to them, to present a little card saying that if they give us false information we can sue. They don't give us the bar association or the Ontario Medical Association card. I don't think we should start this.

Mr. Ruston: How about the plumber and the electrician?

Mr. Wiseman: It's an honour system and the people should know where they can make their complaints if they have any.

Mr. Foulds: Very briefly, I hate to refer to personal experience, but I had a close friend pass away over the weekend. I must say to the member for Waterloo North that you do not notice all those certificates, signs, et cetera, in the funeral home on such an occasion. A discreetly done notice, as outlined by my colleague from Windsor, I think, would be appreciated although very seldom used.

Mr. Chairman: Ready for the question?

All those in favour of Mr. Bounsall's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the "nays" have it.

I declare the amendment lost.

Vote stacked.

Sections 11 to 14, inclusive, agreed to.

On section 15:

Mr. Bounsall: Mr. Chairman, I have one each on section 15(2) and 15(3). I have two

short amendments to each of these sections. I'll place them separately.

Mr. Chairman: Mr. Bounsall moves that section 15(2) be amended by adding after "seven members" in line two the following: "the majority of whom shall be nominated by the Consumers' Association of Canada".

Mr. Drea: It's the same one.

Mr. Bounsall: It's not the same one. No, it isn't.

Mr. Chairman: I would have to rule that the question has been previously decided and you can't introduce it under this section.

[4:15]

Mr. Bounsall: The amendment placed previously referring to consumer representation was to do with the board of Funeral Services and this is dealing with a completely different board or body connected with this Act, which is the review board. It's completely different from the board.

Mr. Chairman: All right; it's the Chair's error.

Mr. Bounsall: Very briefly, the amendment is self-explanatory. It is the review board we are discussing at this point. It's a board empowered to hear and review other decisions carried out in this Act. The members can review the complaints and the disposition of those complaints and arrive at decisions.

This review board is composed of persons who are not licensed under this Act. The entire composition is of persons from outside the profession, outside anyone associated with the profession or designated under this Act, and the numbers of that review board can vary between three and seven.

If we are going to ensure that there is valid consumer representation—that is, consumer representation in the sense of a formalized group of consumers brought together for the purpose of being a watchdog on consumer affairs—this is one point where a majority of those persons appointed could and should be from that particular segment of our society, which keeps a watch upon and has great interest in the protection of the consumer in our society.

Mr. Chairman: Are there any other comments?

Mr. Ruston: I don't think this amendment is necessary. This review board is made up of people appointed by the Lieutenant Governor in Council and they are not to be

licensed undertakers or funeral directors. These are people, it seems to me, who are representing the public.

I suppose, with the appointment of people through the Lieutenant Governor in Council, some of us in the opposition seem to think that maybe the government does appoint more of its friends to these boards. On the other hand, the Tories are the governing party and I suppose if we were in the same position we would feel that we should have the power to do that. I think these people are public representatives and I don't think this amendment should be accepted as far as I am concerned.

Mr. B. Newman: There is no need to include members of the Consumers' Association specifically because, as you can see, none of the members appointed to the board by the Lieutenant Governor in Council is going to be a licensed funeral director. Subsection 3 of the bill clarifies that quite simply for us so I see no need for the suggestion of the member for Windsor-Sandwich.

Mr. Wiseman: One comment, Mr. Chairman. I want to say we can't accept this amendment. I feel that all groups should have a chance to recommend people they might want to see on that board and if this group wants to recommend people I would suggest it sends the names along. I feel, as do some of the other members who have spoken, that it should be representative of everyone. Any group which wants to recommend them, as I said, is perfectly free to do so.

Mr. Chairman: All those in favour of Mr. Bounsall's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion, the motion is lost.

Vote stacked.

Mr. Chairman: The hon. member indicated he had an amendment under subsection 3 of the same section.

Mr. Bounsall moves that section 15, subsection 3, be deleted and the following substituted therefor: "No person who has been licensed under this Act shall be a member of the review board."

Mr. Bounsall: I commend this amendment quite highly to the parliamentary assistant and I think he may well agree with this one or be sympathetic.

The present Act in 15(3) contains the words in the amendment which I have

presented. It contains, as you read through it, "No person who has been licensed under this Act, shall be a member of the review board."

In addition, it disqualifies many and various other persons from being members of this review board for which there is no rationale in my mind. It arises simply because in the drafting of this particular Act—as has happened in many cases in this Act—they have simply followed the wording in The Health Disciplines Act.

That Act was set up to give self-governing bodies to doctors, dentists, pharmacists and so on in our society and because they are all so medically involved with each other, or can be, it was indicated that a pharmacist or a dentist should not be able to sit on a committee dealing with doctors; or doctors on committees dealing with nurses. To me, that was relatively reasonable.

With a group of people so completely different from doctors, nurses and pharmacists, there seems to me no reason why a person licensed under The Health Disciplines Act—if I read this bill and understand it correctly—that is, a doctor, a nurse, a dentist or a pharmacist, should not be appointed to serve on this review committee, particularly as the parliamentary assistant has indicated that he would be pleased to receive nominations from consumer groups and memorial societies in this province.

Some of the very active members of memorial societies, for example, are doctors and nurses. I would commend to him that he accept this amendment which mainly allows someone governed by one of those other health disciplines—i.e. dentists and doctors, as I explained before—would be able to sit or be nominated by these consumer groups for a position on this review board.

I've taken out the first part as well. If the parliamentary assistant can explain to me why a public servant or a Crown employee should not be able to sit as a member of the consuming public or be nominated by one of the consumer groups from which he is pleased to accept nominations to this review board, I am willing to be convinced.

On the surface of things, again, it appears quite reasonable to me that one of our 50,000 public servants or Crown employees in the province should be allowed to sit on this review board should that be the choice. I would not like to see their rights further circumscribed by this particular Act.

If you become an employee of the province of Ontario, one of the things you can't

do, no matter what it is you're doing or what community you're doing it in, would be to be appointed to this particular review board. It might be of particular interest and appropriate for that particular Crown employee or public servant to be so appointed because of his or her background, their interest or expertise.

Mr. Good: This amendment would make the section less restrictive than it now is and would open the representation on the funeral services review committee to persons who are now excluded. I think there is good reason that members of the public service and members in some of the other health disciplines should be excluded from this board.

This is an appeal board to which the public can appeal any decision of the complaints committee or to which a funeral director, against whom a complaint has been laid, can appeal if he is not satisfied with the findings of the complaint committee. In my view this body should be completely impartial and in no way be connected with any profession or level of government that could jeopardize or prejudice the position of the complainant or the funeral director.

Let me tell you what would happen if members of the public service were allowed to sit on this particular committee. The funeral directors are very much tied up with The Vital Statistics Act as to how they register deaths, how they keep information which is confidential. There are large penalties for giving out information—even imprisonment up to six months can apply to a funeral director who gives out information to unauthorized persons under The Vital Statistics Act. To me it would not be right if a civil servant could sit on that appeal board to judge this funeral director who is not satisfied with the handlings of the complaint committee.

The Coroners Act and The Public Health Act are also Acts with which the funeral director is in contact on a day to day basis. Complaints or actions under those Acts could well affect a funeral director and a complaint could be brought against him. It would be wrong, in my view, to have a doctor sitting on that review committee, if the complaint against the funeral director had anything to do with an area that might come close to being under The Coroners Act or The Vital Statistics Act.

I think it's for good purposes that this particular section is written as it is in the Act and I think people sitting on that appeal board must be completely impartial and have

no connection with any of the day to day operations in which a funeral director finds himself. So for that reason, I would support leaving the section as it now reads and not accept the amendment.

Mr. Wiseman: I would say that we can't accept this amendment. I think section 15(3) of the bill does a better job than the amendment of the hon. member across the way. I think what we have been talking about the last day or two is to keep this board of lay people free of someone who might have some biases. I think the way we have it worded here we have done just that, so we can't go along with this amendment.

Mr. Chairman: Any other discussion on the amendment? Ready for the question?

All those in favour of Mr. Bounsall's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the "nays" have it.

Vote stacked.

Sections 16 to 23, inclusive, agreed to.

On section 24:

Mr. Chairman: Mr. Wiseman moves that section 24(3) of the bill be deleted and the following substituted therefor: "The registrar shall not issue a funeral services establishment licence to a corporation unless (a) each one of a majority of the directors of the corporation is a Canadian citizen or a resident of Ontario; and (b) at least one of the directors of the corporation is a funeral director."

Mr. Good: We agree with this amendment, Mr. Chairman. I spoke on this on second reading and we are pleased to see it in the bill.

Mr. Chairman: Ready for the question?

Shall the motion carry?

Motion agreed to.

Section 24 agreed to.

Sections 25 to 32, inclusive, agreed to.

On section 33:

Mr. Chairman: Mr. Bounsall moves that section 33(1)(q) be amended by removing the words "prohibiting or" in lines one and two and adding at the end the following: "and requiring funeral services establishments to display prominently and make available to all purchasers the itemized prices of all services, facilities, equipment and merchandise."

[4:30]

Mr. Bounsall: The first of my amendments certainly indicated that I have confidence that the board, which will be making these regulations, will be able to govern the advertising of funeral services and funeral supplies in a satisfactory way. But this clause indicates that there would be a prohibition, and it strikes me as coming down a little too strongly that they might be able to do the whole thing, to prohibit advertising. By removing that, it indicates they may govern the advertising but it removes from them any thought of prohibiting advertising entirely.

Where there is advertising of funeral services and supplies, I think it is to be commended and to be encouraged. For example, I have some advertisements here from British Columbia, where advertising is allowed, and I think they are quite informative to the public and in quite good taste. For example, I have here an advertisement from S. Bowell and Sons, which advertises five different plans and gives the prices of those plans. I certainly wouldn't want to see any prohibition on this kind of advertising. Plan A talks about the contemporary or traditional service, which is worth \$397, and the ad indicates what is granted for that. Plan B is simply for a memorial service, and the ad tells what is provided. Plan C, what the company calls minimum service, has a price of \$100 and the ad simply states what is provided totally for that service. Plan D, this company indicates, is a prearrangement service; it is simply encouraging, under plan D, the very worthwhile endeavour that many funeral directors encourage, and that is the prearranging of your funeral or your memorial service.

Another ad, from Chapel Hill Memorial Home Incorporated in the state of New York, states that they offer four alternatives; it indicates what is provided in those alternatives and the price for those. One is "immediate cremation," with a description of what that involves and what is supplied; the price is \$225. Another is "immediate burial" and the ad states what is included for a price of \$315. For "cremation with viewing and attendance," the price is \$440, and it is stated in detail what is given for that price. And, finally, "burial with viewing and attendance" at \$440.

I think we should be encouraging the advertising of funeral services and funeral supplies, and that is the major reason for taking out the words "prohibiting or" in this clause to indicate that this Legislature is in favour of advertising. The particular advertising is still to be governed by the board but this removes the prohibition to ensure

that we are encouraging the advertising of services and supplies.

Finally, I've added some words at the end of the section which I feel to be very important. They are simply requiring funeral service establishments to have an itemized list available of the prices of their services; the cost of using their facilities; the cost of equipment—by equipment, we mean things like funeral cars and their merchandise; itemized prices of the particular supplies which accompany the arrangement they are making with the customer.

I would highly recommend this to the parliamentary assistant. It is the type of thing which is found in the code of ethics of various morticians' groups. They do precisely this and have available to all purchasers itemized prices for their services, facilities, equipment and supplies which, when put together, arrive at a total price for the particular funeral.

If they could see that broken down, item-by-item price, the purchasers would be thoroughly clear and would thoroughly understand precisely what it was they were purchasing either at the time of a prearrangement or when purchasing a funeral service in the midst of family grief.

Mr. Good: The way the Act is written now, while it includes the word "prohibiting" and governs the advertising of funeral services, there is nothing in the Act which says the board will or has to prohibit all advertising. It does give the board power to prohibit certain types of advertising.

I feel the board has acted wisely and in a very just manner up to now. They've prohibited certain types of advertising. When I drive to Florida, I hate to see the billboards lining the highway advertising funeral homes every half-mile. You can't do that in Ontario and I think that's good.

I don't think we should have billboard advertising for the funeral homes in Ontario. It's allowed in certain states in the United States. I don't think it adds anything to the dignity of a funeral service. I think the board is justified in prohibiting certain types of advertising.

The matter of requiring the funeral service establishment to display prices, this is already required under regulations of the present Act. There must be a certain number of funeral services available, from lower prices up, to satisfy the needs of those who choose a more elaborate and more costly type of funeral service. As long as we have a society such as we have, where freedom

of choice is available, funeral directors do have to make available services of varying price ranges.

As far as I know, all funeral homes do reduce prices for services which are not required. This is a standard practice as far as I know. Under the new Act, of course, there will be even tighter regulations available than under the old Act, in that the board can control not only ethical practices but business practices. I'm sure it's a long-standing practice for all funeral homes to display their prices in their selection room.

Advertising is now very prevalent in the field of encouraging people to come and talk over their personal wish regarding funeral services, prior to need. This is going a long way to allaying the fears of people being pressured at the time of need, when they are under an emotional strain. I think the main thrust of advertising among funeral groups lately has been in that direction. People come in and discuss what their wishes are. They record them and put them in writing. Many people wish to prepay them and, of course, that comes under The Pre-arranged Funeral Services Act of the province of Ontario. Those moneys are held in trust under that Act and inspected on a regular basis by the board. I remember the days when prices were advertised in the province of Ontario. I don't think it did anything but mislead some people because the prices were advertised at the low end of the scale and never at the high end, and what one gets in a funeral service varies a great deal.

The trend had been in the last 10 or 15 years that people pay only for those services they wish and they require. For that reason, if a person is advertising it is most difficult to establish what is included in that price with the funeral service. It is not as though you are buying a commodity that includes just one item of merchandise. You are buying merchandise as well as professional service.

I think the advertising aspect has been handled very well by the board. The board has powers here to handle it in any manner it sees fit. I, for one, would not quarrel at all with whatever decision the board makes as to what advertising it will allow and what advertising it will not allow. Certainly under regulations there will be the requirement that prices be established clearly. In all businesses in the province of Ontario it is of utmost importance that the family know exactly what their cost will be relating to the funeral service and that the additional costs be made very plain as relating to

cemetery costs, newspaper notices, additional travelling charges and all these matters.

In the last 10 or 15 years, great strides have been made in this regard. Itemization of accounts is available. I think most directors do find that people are comparing prices. I submit that this can be done properly only by a visit to the funeral home prior to need.

Mr. Bounsall: In reply to that, the member for Waterloo North and myself are certainly not in disagreement on that point. If one preplans one's funeral, one does have the time over a period of weeks to shop around and compare the prices for various services and the various merchandise which is available amongst and between various funeral homes. With that sort of pressure not on a person, he usually can be successful in obtaining the breakdown list. But usually most people—and we are all human in this regard—do not tend to preplan their funeral. I think the percentage of people who preplan their funeral and pay for it in advance is much smaller than those who don't. In the moment of their grief if they find themselves in a funeral establishment in which it is required that they be given a breakdown of price—for example, how much for embalming—they can decide whether or not to embalm, embalming being required I understand only for transportation outside of the province. They can decide whether or not to take it in relation to the total price.

This is the sort of thing this amendment does. I might say to the member for Waterloo North that there are some funeral establishments that do resist the itemized price breakdown. In fact, there are some whole communities, I understand, where this practice is resisted. I agree it used to be more resisted but over the last four or five years with the emergence of things like the memorial societies there has been more co-operation and more information in this regard. I would hope that the opportunity we have in this Act would make it very clear that this sort of itemized breakdown will be forthcoming at all of the funeral establishments.

Mr. Wiseman: I'd just like to say that we cannot accept this amendment. I believe that a lot of the worries that the member for Windsor-Sandwich has can be looked after in regulations and will be looked after in regulations where the cost of the funeral and everything will have to be displayed at the funeral home. I feel that our section of the bill is good and should stand.

[4:45]

Mr. Chairman: Ready for the question?

All those in favour of Mr. Bounsall's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the "nays" have it.

Vote stacked.

On section 34:

Mr. Bounsall: I have a comment on 34(1) (i). I did have an amendment for this section, Mr. Chairman, but in the interest of time I simply won't proceed with it in that formal sense. It would be a tack-on after the phrase "providing for a code of ethics." I had considered building into the Act the phrase, "similar to the code of funeral practice of the National Selected Morticians." It simply would be a suggestion to the board in relation to the passing of its bylaws and regulations that the code of ethics be very similar to that very good one established by the code of good funeral practice put out by the National Selected Morticians. That is freely and readily available.

I was hoping that my remarks would be sufficient to have that body consider very seriously adopting that particular code. It has within it many of the things which have been a concern of mine and a concern of the memorial societies across Ontario. If adopted as a code of ethics, it would make co-operation between the memorial societies, the public and funeral directors much more positive than it appears to be at the moment. Such a code would ensure that they are receiving exactly the type of service and exactly the type of merchandise that they best want for the prices that are being charged.

Mr. Good: I would like to say a word on this amendment—

Mr. Chairman: It's not an amendment. It's a proposal.

Mr. Good: Yes. All right. The proposal is that the board adopt a code similar to the code of funeral practices of the National Selected Morticians. It's rather significant that they should speak of a code of an American-based funeral association.

I would like, Mr. Chairman, to say that I hope the board would adopt a code of ethical practices very similar to that of the Ontario Funeral Services Association. I'm very proud of this code of ethics. We've had it for a number of years, and I would like to take a moment to read it. I'm sure all members in the House would agree that this

would be a sound basis for the code of ethics referred to in this section, and I'm sure the board would be guided by this.

"1. Members shall provide their services to all who shall require them regardless of ability to pay." Show me another group that does that.

"2. Members shall not be critical nor appear to be critical of those who desire minimum services at minimum costs.

"3. Members shall have the total funeral price clearly marked on all caskets and shall at the time of making funeral arrangements clearly inform the purchaser of any additional charges which may have been incurred as a result of special requirements or circumstances.

"4. Members shall always be most careful to avoid any possibility of misleading the public as to legal or other requirements relating to embalming or other aspects of funeral arrangements.

"5. Members shall keep in complete confidence all personal information given them.

"6. Members shall at all times observe the requirements of The Embalmers and Funeral Directors Act and shall subscribe to the code of ethics of the Ontario Funeral Services Association and shall faithfully observe the spirit and the letter of this code of ethical practice."

With my compliments I would like to send a copy to the parliamentary assistant and two copies to the members of the NDP.

Mr. Bounsall: If I may, still speaking to the section, there are certainly funeral establishments in the province of Ontario which are members of the National Selected Morticians and agree to the code of the National Selected Morticians which is more extensive and more explicit than the one quoted. I will not take time to read this particular code but it certainly is much clearer than the Ontario code about the provision of prices in particular and is very clear about making no misrepresentation, written or oral, anything false or misleading, and so on.

I won't read the sections but to the board making the regulations and adopting this code of ethics, I simply want to say the Ontario code is not bad as a start but it certainly can be extended. The board should have a look at this code of good funeral practice by the National Selected Morticians as the way in which the Ontario code could be extended and expanded upon.

Mr. Foulds: Well put.

Sections 34 and 35 agreed to.

On section 36:

Mr. Chairman: Mr. Wiseman moves that clause (d) of subsection 2 of section 36 of the bill be deleted and the following substituted therefor:

“(d) Where the licensee is a corporation,

“(i) that each one of a majority of the directors of the corporation is a Canadian citizen or a resident of Ontario, and

“(ii) that at least one of the directors of the corporation is a funeral director.”

Mr. Bounsall: On this, I might say, certainly there is no problem and I commend the parliamentary assistant for bringing forward the first section of this, that each one of the majority of the directors be a Canadian citizen or a resident of Ontario. That's a good addition to the Act.

Not to nitpick, though, I'm a little disappointed—but I don't know how you get around it—that at least one of the directors must be a funeral director. My concern about this is it would not make it possible for a co-operative such as exists in Sudbury, for example, to continue to function unless they put on the board the funeral director whom the co-operative hired. I suppose that would be possible and it's not disallowed under the Act and in this way the co-operatives could then function.

I see, I think, the parliamentary assistant nodding his head in agreement—that would be possible under the Act; the employee of the co-op could be placed on the board of directors of that co-op. If that is clearly permissible, of course we've no objections to the second section of this clause.

Mr. Good: Speaking to this amendment, I think it is good. It will not create any hardship on any existing funeral home, including the co-operative in Sudbury.

I might say the co-operative in Sudbury has always had a licensed person operating that business. They've always had a licensed person. There's been no problem in that regard and I presume they will continue to have the same licensed person operate that co-operative.

This will not interfere whatsoever with the operation of that co-operative but it will require that one of the board of directors be a licensed funeral director and that the majority of the directors be Canadian citizens or residents of Ontario. I think this is a good amendment.

Mr. Foulds: I'd like to support the motion. I would prefer that the “or” in the third line be “and,” but as this is better than what was

previously in the Act, I support my colleague and the caucus will support him.

I wonder if the parliamentary assistant could explain if there are any situations in which it is possible that the people designated in subsection 1(b), as he has outlined it, may well be residents technically of Ontario, but would not be Canadian citizens in their entirety. Are there any situations like that to your knowledge?

Mr. Wiseman: This section was changed because we do have a situation where we have two groups from the States here at the present time. One has Canadian directors on it and the other doesn't. I feel we'll have a better control on it if we put this section into the bill.

Mr. Good: If I may add a note to this, this section will not create any hardship. It will require that there be a Canadian subsidiary running the Canadian branches, including the Ontario branches, of the two American-owned corporations that are in Canada now.

I think Canadian citizen is important because the same board of directors will run their branches all across Canada. “Resident of Ontario” would indicate that the person here may be an American citizen, but to reside here and run the operation he would have to be here as a landed immigrant who may not as yet have Canadian citizenship status. When the “or Ontario resident” was added, while it does broaden it a little bit, I can understand the necessity for it. Certainly it means that the actual operation will be from within Canada through its subsidiary.

Mr. Foulds: I wonder if I could just ask that the situation be monitored so that we don't find ourselves into a rollover situation, that is, that that corporation which has only landed immigrants resident in Ontario doesn't continue to operate that way after a five-year period, and that these are bona-fide landed immigrants who obtain citizenship within a reasonable five- or six-year period. I wonder if the parliamentary assistant could undertake to monitor that situation so that it isn't a constant rollover situation.

Mr. Wiseman: No, we haven't got anything in here that I'm aware of that would protect us for that part, but maybe I could ask my lawyers about that. It might well be that the firm from the States would send a landed immigrant up here and that person might take out citizenship papers and stay here. We're only assuming that he'll turn over every five years. It's a possibility but I really don't think it would happen.

Mr. Chairman: Ready for the question?

All those in favour of Mr. Wiseman's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the "ayes" have it.

Motion agreed to.

Section 36 as amended agreed to.

Sections 37 to 47, inclusive agreed to.

Mr. Chairman: We have some stacked amendments and it's our understanding that the bill will be stood down for a vote at a later time, before the committee rises, so that we can complete the work of the committee before the division. The bill will be stood down just for that purpose.

WINE CONTENT ACT

House in committee on Bill 135, An Act to provide for the limited inclusion of grapes grown outside Ontario in Ontario wine.

Mr. Ruston: You emphasized limited.

Hon. Mr. Handleman: Just a point of clarification for the record, since the explanatory notes will not be reprinted when the bill is finally produced, I would like to indicate to the members that the last sentence in the first part of the explanatory notes is incorrect. It should have read "The authorization to sell the wine so manufactured is limited to wines manufactured prior to January 1, 1982." That does not require an amendment since it is not part of the bill.

[5:00]

On section 1:

Mr. Chairman: Mr. Swart moves that the words "where such grapes or wine are not available from Ontario growers" be inserted in clause (a) of subsection 1 of section 1 immediately after the words "imported wine" in the fourth line so that the clause reads:

"(a) fixing for each manufacturer licensed under The Liquor Licence Act, 1975, a quota of grapes grown out of Ontario or the equivalent thereof in imported wine where such grapes or wine are not available from Ontario growers that may be used by the manufacturer in the manufacture of wine for the purposes set out in section 2."

Mr. Swart: Mr. Chairman, in the interests of time, and because I think the amendment and two subsequent ones are rather self-explanatory, my remarks will be brief. We opposed the bill on second reading because we thought that at least it was premature;

the surveys hadn't been taken to show that this bill would be beneficial to either the growers or the wineries. Although the bill received second reading, we think we should try to remove some of the risk that there is in this bill at the present time.

The growers themselves had asked that the word "vinifera" be put in after the words "quota of grapes" and ahead of the word "wine" in this section, but I believe there is some feeling on the part of the minister, and perhaps others, that it is not an exact term and, therefore, it would not be specific enough to include in the bill and perhaps would make it somewhat confusing. He may also argue that the words "not available" may not be specific enough either. But I would point out that either of these is better than having nothing in the bill. The clause now reads:

"(a) fixing for each manufacturer licensed under The Liquor Licence Act, 1975, a quota of grapes grown out of Ontario or the equivalent thereof in imported wine that may be used by the manufacturer in the manufacture of wine for the purposes set out in section 2." And that gives absolutely no protection whatsoever. They could be Concord grapes or any other type of labrusca grapes which we grow here in this province.

The intent of this amendment, of course, is to assure that we will only bring in the types of grape or wine that are not grown or available in this province. I hope that perhaps even the minister will be willing to accept this amendment to give this added protection to the growers of this province.

Mr. Hall: I have been concerned with providing evidence to the growers that consumption of their grapes will not be diminished in any respect in the process of manufacturing wine in Ontario or by anything that happens out of this blending legislation. I see no objection to the amendment which has been moved. Actually, I propose an amendment to section 5 which might stipulate it in somewhat the same manner. I think it will continue to be necessary for me to move an amendment when I get to section 5.

Hon. Mr. Handleman: First of all, we will be opposing the amendment and I want to explain quite clearly why because it's obviously well intentioned. It's designed to ensure that nobody imports grapes in competition to those which are being grown in Ontario and are now required to be used in the production of Ontario wines.

The amendment says "where such grapes." I see a lot of pretty eminent counsel sitting around here and I think they would agree with me and the experience I had in another Act where this was used, that "such grapes" refers to imported grapes. How imported grapes could be available for Ontario growers, I really don't know, unless they become importers of grapes. The wording is a completely ridiculous suggestion. There is no such thing as obtaining wines from Ontario growers—nobody in Ontario grows wine, so how could such wine be available from Ontario growers? I simply point out that this is a meaningless, unenforceable type of amendment.

If somebody were to apply to the board and ask for permission to import grapes and some grower in Ontario, reading this, took out of it what the mover means—that he could dispute this—we could be tied up in the courts for years on the interpretation of what kind of grapes are being brought in. I don't think wines could ever be a problem because there is no wine, as I previously said, available from a grower.

In terms of grapes, it would be just as difficult to enforce as the word "vinifera." We can't get a meaning for the word "vinifera" and the growers eventually agreed that it should not go in the Act.

Here we're talking about such grapes, referring back to those grapes which are imported. As I say, it would be the most confusing kind of situation. You could stymie a manufacturer, a winery, for years by going through the courts to determine what are such grapes.

Concords are not all the same and there might be some reason for importing Concords that we don't know about. The price paid for importing grapes is quite high. You give up a number of privileges in order to have the right to import.

In the regulations which have been distributed to those members who are interested in this bill, we have provided that everyone who wishes to import grapes or wine must apply and must outline exactly what they are going to be importing. Obviously, when that information comes before the board and there's an indication that somebody wishes to import grapes of a kind which could be construed as being competitive to Ontario grapes, we will want to know why.

We feel that that kind of flexibility has to remain in the regulations in order to provide for such eventualities as a crop failure which could happen very quickly and which would make certain grapes not available from one

part of the vineyards of Niagara. We have to say that the flexibility provided for in the regulations could prevent unnecessary importation of fully competitive products from anywhere else; but we have to allow that flexibility because of the possible contingency of unforeseen problems arising and requiring certain grapes to be imported on a very fast basis. We will be opposing the amendment.

Mr. Swart: To reply, I would point out, of course, that it's because of our concern that we are introducing this amendment. We use the words "available from the Ontario growers" in case there is a crop failure here sometime and then they could go outside to get those grapes to make their wine. It doesn't limit it to a particular variety. If the grapes are available within this province if they're grown here, they should be purchased here and that is our intent.

We feel it is important to have it in the legislation rather than just in the regulations which can be changed by the ministry. If we are going to allow any grapes to come into this province when they are available here, that decision should be made by the Legislature, I suggest, not by regulations—regardless of what justification there might be for it. There might be no justification for it.

Clause (b) of that same section gives the minister the further control when it says: "prescribing the terms and conditions under which the quotas mentioned in clause (a) may be used, in providing for their cancellation or reduction." Surely that gives you all the control by regulation you need.

But we want this principle in the bill and that's the purpose of moving it.

Mr. Hall: Mr. Chairman, I think we are all trying to achieve the same end here and we have had several discussions with the growers' representatives and with the wineries. I hadn't seen the member for Welland-Thorold's proposed amendment except very quickly before I had to speak on it. I am satisfied that the minister's explanation of the legal problems that might ensue are a point of concern. I have just now provided the member for Welland-Thorold a copy of the amendment that I will propose to section 5 later on, which I think is heading towards the same target. It would therefore be my reconsidered view that the amendment proposed and just being discussed is not necessary.

Hon. Mr. Handleman: Mr. Chairman, I don't want to prolong this. I simply want to point out again that under (b), the terms and conditions would only apply to those grapes or

wine which could be imported. Once there's a dispute as to the kind of grapes or wine which could be imported, then the government's right to set terms and conditions under the regulations would be completely proscribed. You can't set terms and conditions on the importation of something that can't be imported.

Our concern is to allow flexibility. I am sure the hon. member is aware of this, but we have undertaken that the regulations will be developed in concert with the wine standards committee of the Ministry of Agriculture and Food on which the growers and the wineries and the Ministry of Agriculture and Food are all fully represented. We have made that as a commitment. We have distributed what we consider to be good draft regulations but those are not final.

As the hon. member for Lincoln has said, the whole purpose of the Act is to protect and to encourage the growth of grapes in the Niagara region. I can't understand how, if the amendment which the hon. member for Lincoln proposes to introduce is carried, anything could be done contrary to the purpose of the Act so that we would always have that purpose in mind in administering the Act. Therefore we have to repeat that we will oppose the amendment.

Mr. Acting Chairman: All those in favour of the amendment will say "aye."

All those opposed will say "nay."

In my opinion, the "nays" have it.

Mr. Deans: I think we will stack this.

Mr. Acting Chairman: We will stack this vote.

Mr. Swart moves that clause (c) of subsection 1 of section 1 be amended by adding thereto the following words: "But in no event shall the quota of grapes grown out of Ontario or the equivalent thereof of wine exceed 15 per cent of the total amount of grapes purchased by any manufacturer from Ontario growers in any year, nor shall a wine made from a combination of imported grapes or wine and Ontario wine contain more than 30 per cent imported vinifera grapes or wine."

[5:15]

Mr. Swart: Very briefly, I realize again that it is proposed this be provided in the regulations, but because the bill itself puts no limitation and because at some future date there can be some conflict between the manufacturers and the grape growers, if there is a request made to increase the amount, I think a limit should be provided

by the Legislation, and if they want to go above these limits then they should have to come back to the Legislature to get it changed, and not leave it just in the hands of the minister with regulations.

Mr. Hall: This matter has been discussed before. All parties are aware that the inclusion of items which are best left in the regulations will remove any amount of flexibility if they are in the Act itself. This is a test programme. It is made quite clear by the explanatory notes that there is a five-year period of time involved. Moreover, as was stated the other night, this is only one of four co-operative programmes being worked out in concert by the Grape Growers' Marketing Board, the Wine Council and the ministry.

I take it it is understood by all parties that the best place to handle detailed regulations is outside the framework of the bill. I have been reassured in most clear terms by the minister that prior to the final adoption of the regulations discussions will be held with representatives from the Ontario Grape Growers' Marketing Board and the Wine Council. One of the items that will be considered there will also be the matter of annual review of the regulations themselves. Without wanting to make this point too long, I would have to feel that we would not support this amendment.

Hon. Mr. Handleman: I should repeat again, although we have had it in debate before, that the Act and the regulations have been arrived at by consensus. I feel I should repeat again the commitment I have made on behalf of the government that changes will be made only by consensus and that all parties will be consulted.

This is innovative; experimental legislation. We recognize that. While it is not in the draft regulations at the present time, I want to make clear right now that we will be proposing that an annual report be submitted by everybody who participates in it so that we can review the performance. There may be cases that are unknown at the present time that might require some deviation from this. I can't visualize them at the present time. I really don't accept the proposition that has been made to us that we can call the Legislature back in the middle of July and get an amendment to the Act if it proves necessary. Certainly it would not be considered to be that crucial a matter.

We now have in the draft regulations a provision which guarantees exactly what the hon. member has moved as being part of the

Act. I understand why he is doing it. But I really do feel in any experimental legislation of this kind that you have to have flexibility at some time. It may very well be in the first year or two of operation we find that 15 per cent should be embodied in the bill because there is no need to deviate from it, and we would not hesitate to bring that amendment if it was necessary.

Mr. Acting Chairman: All those in favour of Mr. Swart's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion, the "nays" have it.

Vote stacked.

Mr. Swart moves that a new subsection 2 of section 1 be inserted, to read as follows:

"(2) A manufacturer licensed under The Liquor Licence Act, 1975, who uses a quota of grapes grown out of Ontario or the equivalent of imported wines shall not make more than 225 imperial gallons of wine per ton of Ontario grapes purchased from the Ontario growers."

And that the present subsection 2 be renumbered subsection 3.

Mr. Swart: This provision is proposed in the regulations. We think that we should set this maximum in the legislation. The minister states, and rightly so, that the proposals in this bill are innovative and experimental. The adoption of this amendment and the previous two amendments would still leave the bill innovative and experimental up to maximums. We feel that these maximums should be included in the bill because the growers could be severely hurt if there were permanent regulations put in a bill—perhaps by a different minister—which provided for a greater amount of foreign wine or foreign grapes to be used. It's part of the maximum which we believe is reasonable in this innovative and experimental process.

Mr. Hall: Again, we feel it is an item that should be in the regulations and we would not support this amendment.

Hon. Mr. Handleman: We will, of course, be opposing the amendment. I just wonder if the hon. member from Welland understands that this really has nothing to do with the importation of wine. We're talking here about the yield from grapes for Ontario wine. In order to participate in this programme you must meet the yield requirements of the regulations of 225 imperial gallons, where at the present time the regu-

lations require 250. Amending this will not in any way change the importation. This is what you must do in order to import; it's one of the conditions.

I think you should realize that your colleague, the member for Wentworth, expressed some concern about what this would do to one of the major users of labruscan Concord. Our view is, that's where we require the kind of flexibility to meet individual winery requirements, provided there's consensus with the growers. We will not move on any departure from that figure for anyone except with the consent of the growers; and that particular winery is aware of that condition.

Mr. Swart: I would suggest to the minister that, although he's technically correct, it may not affect the importation, it is part of the package that has been largely acceptable to the growers. In fact, it will mean they will have to buy more grapes locally—I'm sure he would agree with that—and, therefore, it is part of the package. I suggest it is a very important part of the package; if they could still make 250 gallons of wine, they wouldn't have to buy the extra grapes which at this time—perhaps not in the future—your regulations will provide.

Our amendment would not affect this major user about which we have concern, if he did not import any foreign wine or any foreign grapes. My understanding is that perhaps he would not be doing this, so I do suggest that it is a reasonable amendment and sets reasonable maximums.

Mr. Acting Chairman: All those in favour of the amendment will say "aye."

All those opposed will say "nay"

In my opinion, the "nays" have it.

We'll stack that one.

Sections 2 to 4, inclusive, agreed to.

On section 5:

Mr. Acting Chairman: Mr. Hall moves that the bill be amended by renumbering sections 5, 6, and 7, as sections 6, 7, and 8, and by adding thereto the following:

"(5) The purpose of this Act is to permit the introduction of grapes grown outside of Ontario and imported wine into wine manufactured in Ontario, without reducing the use of Ontario grapes in the content."

Mr. Hall: I might just speak on this briefly, Mr. Chairman. I think it is important to give complete assurance in the legislation to the growers that the purpose of the regulations behind this trial period of wine blending will

in no way have an adverse effect on the consumption for use of Ontario wines of grapes grown in Ontario. The regulations need to be subject to review and possible modification, but the Liberal Party is very much concerned to make certain it is patently obvious to the growers that nothing will be done that in any way will further deteriorate the sale of Ontario-grown grapes. They face a considerable problem as it is now. They've had a year in which they had several thousand tons that were unsaleable despite assistance from two levels of government. Therefore, I think it is very valid to stipulate in the legislation itself that nothing in the Act will tend to reduce the Ontario grape content in the wine.

Mr. Swart: I just have two comments on this, Mr. Chairman. I obviously am in accord with the principle of this. I would suggest it would have been much more effective if we'd had this in the legislation which required this so that we would assure that there were adequate limits on the amount of foreign wines that could be used. The principle of this is good, except I am wondering if you shouldn't take off the last three words. It seems to be a bit contradictory; if you are using foreign wine or grapes you are going to reduce the use of Ontario grapes in the content. I think we'd all agree that the purpose of the bill must be that we're not going to reduce the use of Ontario grapes in total, but in the content of the wine we certainly will be reducing the percentage.

Hon. Mr. Handleman: We will be supporting the amendment. I think I should make it clear that in doing so there is no effect of bringing in the purpose of the Act on the interpretation of other sections unless of course it becomes a matter for the jurisdiction of the court. It may then look at the intent of the Legislature in passing legislation. It has no effect on the numbers or things of that nature in the regulations except where a court has to know what the intention of the Legislature was in passing it. If there is a dispute in that they can refer to this section and we think it adds something to the bill.

[5:30]

Mr. Lawlor: Surely the phrase "in the content" ought to be deleted. I would ask the member who moved it to reconsider his position with respect to it. If a bottle has a certain content and part of that content is imported grapes, then obviously the use of Ontario grapes in the content is reduced.

That's the whole purpose of the legislation to so reduce it in the content, but overall it ought not to be reduced, and that's what you're trying to get to.

Mr. Hall: I don't usually wish to correct the member for Lakeshore but I have checked this out very carefully with the Wine Council and the Ontario Grape Growers Marketing Board. At the present time under the present regulations, if this Act did not exist, the gallonage available from a ton of grapes could be added to with water and or sugar up to 250 gallons. The intent of these regulations will be that where blending occurs, the gallonage produced from one ton of Ontario grapes will be in total only 225 gallons. Where there is an addition of any material to the quantity of juice coming from a ton of grapes, which is somewhere in the neighbourhood of 160 to 165 gallons, that will be wine that will be added.

Therefore it is safe to say, regardless of what blending is done, the Ontario content of the grapes on that particular item of manufacture will not go down. This is the very point we wish to make with the growers. Possibly the minister can put it in other words.

Hon. Mr. Handleman: I think I know what the member for Lakeshore and the member for Welland-Thorold are concerned about. There is no question that the percentage content, which is now 100 per cent of Ontario grapes, would be reduced. The quantitative content, the volume of Ontario grapes in any particular brand of wine which is blended, will remain the same because of the fact, as the member for Lincoln pointed out, the 15 per cent is equivalent to the reduction from 250 to 225 gallons. If you take a look at that, you'll find you'll still have the same amount of grapes percentage-wise.

Mr. Swart: You're changing it.

Hon. Mr. Handleman: Yes, of course we're changing it but we're not going to reduce the amount of grapes. We're supporting the amendment in its present form.

Mr. Swart: We are going to support this in any event. You are reducing by 10 per cent in fact the amount they can make, but you're allowing 15 per cent of foreign wine to be included, and even up to 30 per cent in some particular wines so that in fact there's a likelihood that the content will be reduced. I would prefer to see it as the use of Ontario grapes, but we'll support this in any event, although I think factually it's wrong.

Mr. Kerrio: I think this portion of the bill really deals with the guts of the bill, if you will. We are very concerned about maintaining the quantity of Ontario grapes in the gallonage that is produced here. I think if we want to just stand to get on the record we'd make the kind of statements that have been made over here to my right simply because they don't understand the bill.

The fact of the matter is that in the production of wines, in Ontario by introducing either wines or imported grapes we're going to put them in place of water and sugar, which up until now has been used in the production of wines in Ontario. It's been accepted by the board; it's produced a good quality wine.

Mr. Deans: We know that.

Mr. Kerrio: In lieu of water and sugar, we're now going to allow this introduction. We wouldn't have it any other way. That's why we stand here supporting the bill. To have an implication here that there's any chance at all of reducing the amount of Ontario grapes to go into the wine-making industry is wrong and it isn't going to happen.

An hon. member: You'll guarantee that?

Mr. Acting Chairman: Shall the amendment carry?

Motion agreed to.

Section 5, as amended, agreed to.

Sections 6, 7 and 8, as renumbered, agreed to.

Mr. Acting Chairman: This bill will be stood down and will be voted on at the end of the committee sitting.

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH AMENDMENT ACT

House in committee on Bill 187, An Act to amend The Regional Municipality of Hamilton-Wentworth Act, 1973.

On section 1:

Mr. Acting Chairman: Mr. Norton moves that section 53a of the Act, as set out in section 1 of the bill, be amended by adding thereto the following clause:

"(j) 'Urban transit area' means the city of Hamilton or such greater area as may from time to time be defined by the minister;"

And that the present clause (j) be re-lettered as clause (k).

Mr. Deans: Mr. Chairman, just a brief word about it. What I want to say really is this: We don't intend to speak at any length about any of the clauses, because all of them are more housekeeping than anything else, but rather we say at the outset that we anticipate the bill in all of its clauses will probably be back before the Legislature in the next session. I know the regional council are reviewing it, and they do have some suggestions to make with regard to some necessary changes; given that that be the case, we think the bill should go forward at this time in an effort to try to allow the region to take over what we've been attempting to have taken over for some considerable period of time.

Mr. Cunningham: Mr. Chairman, very briefly, we too will support the amendment, and the ones that I gather are going to follow, with the understanding that we will discuss this in some more detail in the spring and get further input from our region. I would only echo the sentiments expressed by the member for Wentworth and hope we can look at this again in the spring.

Motion agreed to.

Mr. Acting Chairman: Mr. Norton moves that subsection 10 of section 53b of the Act, as set out in section 1 of the bill, be amended by striking out "shall continue but may be modified or varied by agreement between the regional council and the council of an area municipality" in the third, fourth, fifth and sixth lines, and inserting in lieu thereof "shall by agreement between the regional council and the council of an area municipality be continued, discontinued, modified or varied."

Mr. Deans: Just one question: I wonder if the parliamentary assistant would tell me why the change was made.

Mr. Norton: This specific change is to implement a request that was made by the members of the regional council, who I believe met last Saturday to review a draft of the bill. There were a couple of specific requests that they made—the first amendment to include a definition of the urban transit area and this amendment. We felt the other wording was adequate, but they preferred this; so we're including it.

Motion agreed to.

Mr. Acting Chairman: Mr. Norton moves that section 53b of the Act, as set out in section 1 of the bill, be amended by adding thereto the following subsection:

"(13) The contractual relations in respect of terms of employment, including rates of pay, sick leave credits, holidays with pay and superannuation benefits existing on January 1, 1977, between the company or the subsidiary company on the one hand, and the employees of the company or the subsidiary company on the other hand, remain in force and are binding upon the regional corporation and the board of directors established under subsection 2 of section 53c for the remainder of the term of any subsisting agreement or agreements in that regard."

Mr. Deans: Just one brief word about it: I anticipated this amendment would be made from the discussion that we had the other night with regard to the protection for employees. I realize that perhaps certain people in the ministry might have felt that it wasn't necessary, given that the Act itself did mention and deal with the matter of the continuance of employment and benefit. But I do appreciate that this was spelled out in this way since, when we're making amendments which bring in agencies not previously covered by a major Act, it ought to be made abundantly clear so that there can be no mistake and no need for adjudication or question that employees are protected. It's difficult enough these days to find employment and it's hard enough to protect yourself. I think the Legislature should take it upon itself to make sure that employees are protected in most instances, this being one of them.

Mr. Mackenzie: This was the one addition that I wanted to be sure was in the bill and I certainly intend to support it. I would like to comment that I think a section like this should be incorporated whenever we're doing a bill like this. The protection of the relationship, the wages and the contractual arrangements of the workers should be one of the first things we take a look at, and all too often it's not in many of the situations we're dealing with in this House. I think it happens to be a very vital addition to the bill and I welcome it.

Motion agreed to.

Mr. Acting Chairman: Mr. Norton moves that subsections 1 and 2 of section 53 of the Act as set out in section 1 of the bill be struck out and the following inserted in lieu thereof:

"(1) the regional council may by bylaw levy against such of the area municipalities as are wholly or partly within the urban transit area the sums required to meet any

deficit arising out of the operation of the regional public transportation system within the urban transit area, and such bylaw may include any expenditures made by the regional corporation required for the provision, planning or improvement of the regional public transportation system in the regional area, and such levy may also include any expenditures made by the regional corporation for the provision, planning or improvement of service provided to such area municipality or any part or parts thereof, the costs of providing public transportation service to such area municipality, the revenue miles in such area municipality, actual deficits or the combination thereof pertaining to such area municipality and such other factors that are in the opinion of the regional council relevant to such apportionment.

"(2) The regional council may in its levy under 81(1) include any sums required to provide for any deficit arising out of the operation of the regional public transportation system outside the limits of the regional area insofar as such provision has not been provided for in the agreement entered into under section 53b(11).

Hon. J. R. Smith: I would like to say I am very pleased that this amendment has been put forward because it will protect the taxpayers of the city of Hamilton from the added costs of providing additional services to the developing areas within the county part of the regional municipality, areas that are not so densely populated. When development does take place, one of the first things they look forward to is the providing of public transit. Until the density is such and the customer service can be developed to a high enough level, it is very expensive.

Motion agreed to.

Section 1, as amended, agreed to.

Mr. Norton: If I could perhaps make just a couple of brief comments, I realize that we just carried the amendment but they arise actually out of all the amendments and some of the comments of the members opposite me. We appreciate there may well be matters that have to be looked at in the near future again in consultation with the regional government and with the area municipalities. The matter has been dealt with rather quickly within the ministry at the request of the Hamilton-Wentworth region, because as the hon. members know, the agreement was arrived at quite recently after a number of years of negotiation. It was in response to their request that we made every

effort to facilitate the implementation of this by having the legislation passed through the House this session.

[5:45]

In conversations with them it is evident that there may be requests coming in the new year for us to have another look at certain aspects of it. But this, at least, should allow them to put the regional transportation system in place at the beginning of the new year. Then we can work with them in ironing out any difficulties that might arise.

Mr. Deans: Mr. Chairman, in response to the words of the parliamentary assistant, I think that the regional municipality is delighted that the government has moved so swiftly. I think we all understood that Saturday last was rather short notice for the passage of a bill that would have such an impact—and this bill has a substantial and significant impact on the total region. It has been a long and difficult process. Getting from the original days, when there was considerable disagreement among the various local municipalities as to how the regional transportation system ought to be operating, to last Saturday, when they came to substantial agreement, was fraught with all kinds of stumbling blocks and difficulties; but nevertheless they did act. I know I speak on behalf of the regional council when I say they are grateful for the fact that the government was able to move so swiftly in order to put into law what they had requested.

There are, as in every bill, areas of disagreement and I think that we all understand that the bill is not perfect in its present form. That is something that we are all going to have to live with. The indication from the parliamentary secretary of the willingness of the minister and the government to make amendments, if, as and when those amendments become apparent and necessary will be welcomed by the regional municipality. If only the Minister of Consumer and Commercial Relations was so accessible and easy to deal with, then life would be much better for all of us here.

Hon. J. R. Smith: I would like to join with the comments of the hon. member for Wentworth and commend as well the members of the regional council of Hamilton-Wentworth and the regional chairman, Mrs. Jones, and also the Hon. Mr. McKeough for bringing forward this legislation. I am glad this House was able to bring it into effect before Christmas.

I would just like to ask of the parliamentary assistant whether or not the provision of the

board of directors—is service on this board to be the same as on a regular licensing committee, or a fire committee and so on of the regional council or is it to be a per diem such as the police commission?

Mr. Norton: There is no specific provision in the legislation that would regulate that. It would seem to me—

Mr. Deans: Would you guys talk to each other?

Mr. Norton: —that that would be a matter subject to the discretion of the regional government—

Mr. Deans: Would you do this in cabinet?

Mr. Norton: —in recognition of the fact that regional government of the type of the Hamilton-Wentworth government is a very responsible level of government. I think those decisions can adequately be taken at that level.

Mr. Deans: Absolutely.

Mr. Norton: One other comment I might wish to make, again along the lines of the rather short period of time which we have had, is that the co-operation we have had from the officials of the regional government has been outstanding. I would also like to say that the co-operation between the staff of the two ministries involved—both the ministry I am associated with and the Ministry of Transportation and Communications—has been great. In fact, some have sacrificed weekends in order to make it possible for this legislation to be before the House in the short period of time since it came to our attention. I think it's a good sign that we have such dedicated civil servants in this province who would give up a weekend this close to Christmas.

Sections 2 to 5, inclusive, agreed to.

Bill 187, as amended, reported.

Mr. Acting Chairman: That completes the business of the committee. I believe there have been a number of votes stacked.

FUNERAL SERVICES ACT (concluded)

The committee divided on Mr. Moffatt's amendment to section 2(2), which was negatived on the following vote:

Ayes 29; nays 73.

Section 2, as amended, agreed to.

The committee divided on Mr. Moffatt's amendment to section 5(1), which was negatived on the same vote.

Section 5, as amended, agreed to.

The committee divided on Mr. Bounsall's amendment to section 10(5), which was negatived on the same vote.

Section 10 agreed to.

The committee divided on Mr. Bounsall's amendment to section 15(2), which was negatived on the same vote.

The committee divided on Mr. Bounsall's amendment to section 15(3), which was negatived on the same vote.

Section 15 agreed to.

[6:15]

The committee divided on Mr. Bounsall's amendment to section 33(1)(q), which was negatived on the same vote.

Section 33 agreed to.

Bill 171, as amended, reported.

WINE CONTENT ACT

The committee divided on Mr. Swart's amendment to section 1(1)(a), which was negatived on the following vote:

Ayes 29; nays 73.

The committee divided on Mr. Swart's amendment to section 1(1)(c), which was negatived on the same vote.

The committee divided on Mr. Swart's amendment to section 1(2), which was negatived on the same vote.

Section 1 agreed to.

Bill 135, as amended, reported.

On motion by Hon. Mr. Handleman, the committee of the whole House reported three bills with certain amendments.

THIRD READING

The following bill was given third reading on motion:

Bill 189, An Act to establish the Unified Family Court.

WINE CONTENT ACT

Hon. Mr. Handleman moved third reading of Bill 135, An Act to provide for the limited inclusion of Grapes grown outside Ontario in Ontario Wine.

Mr. Speaker: Those in favour of Bill 135 being read a third time will please say "aye."

Those opposed will please say "nay."

In my opinion, the "ayes" have it.

Motion agreed to.

FUNERAL SERVICES ACT

Mr. Wiseman, on behalf of Hon. F. S. Miller, moved third reading of Bill 171, The Funeral Services Act.

Mr. Foulds moved that Bill 171 be not now read a third time but be read a third time four months hence.

Mr. Breithaupt: Same vote, Mr. Speaker.

Hon. Mr. Davis: We may not be here four months hence.

Mr. Reid: We will all be in the poor house four months hence.

Mr. Conway: It all depends on the Gallup polls.

Mr. Speaker: Order, please. As is customary, we will vote on the main motion.

All those in favour of Bill 171 being read the third time will please say "aye."

All those opposed will please say "nay."

In my opinion, the "ayes" have it.

Motion agreed to.

THIRD READING

The following bill was given third reading on motion:

Bill 187, An Act to amend The Regional Municipality of Hamilton-Wentworth Act.

LABOUR RELATIONS AMENDMENT ACT

Hon. B. Stephenson moved second reading of Bill 176, An Act to amend The Labour Relations Act.

Hon. B. Stephenson: The members of the House may recall that the purpose of this bill is to reduce the number of key bargaining situations in the organized industrial, commercial and institutional sectors of the construction industry to approximately 25 recognized trades or crafts. The bill will effectively restructure collective bargaining in this sector of the construction industry by consolidating existing bargaining relationships.

Consolidation on the union side will be achieved by grouping together those bargain-

ing agents that bargain for a particular craft and belong to the same international union. Consolidation on the employer side will be achieved by grouping together employers who now bargain with a particular craft union.

Mr. Speaker: Order, please. Will those who are leaving the chamber please do so as quietly as possible? Thank you.

Hon. B. Stephenson: The effect will be to create parallel structures for unions and employers. Once these structures are established, a group of employers will be able only to enter into one provincial agreement with its counterpart union group. The result will be what is frequently referred to as province-wide, single trade bargaining.

A second aspect of this bill is its provision for the co-ordination of bargaining in the industrial, commercial and institutional sectors of the construction industry. Co-ordination will not involve the exercise of bargaining rights by the co-ordinating agency but will provide only a structure for the bargaining agencies to exchange information and data and to engage in related co-ordinating activity. Co-ordination will be of particular value since provincial agreements will be required to expire on a common date. The bill, however, expressly prohibits the co-ordinating agency from exercising or purporting to exercise bargaining rights held by a bargaining agency.

The reduction of key bargaining situations and the co-ordination of bargaining should eliminate disruptive intra-trade and inter-regional bargaining rivalries and thereby bring a greater measure of rationality and stability to the bargaining process. These new structures also should encourage the parties to adopt broader perspectives in bargaining to the benefit of employees and employers in the province as a whole.

I have certain amendments which have been introduced into a new copy of the bill which is available for all members of the House at this time. It seemed to me that it would make it much easier and much more logical for the members of this House to have at hand for this discussion the amendments which the Ministry of Labour proposes in terms of Bill 176. I think they have been distributed and that the amendments will have the effect of clarifying the purposes of the bill and will ensure that it will be compatible with existing bargaining structures in the industrial, commercial and institutional sectors of the construction industry. I would especially note that residential construction

is specifically eliminated from any discussion within Bill 176.

Mr. Bounsall: Mr. Speaker, I must say I find the recent developments rather interesting—the bill with some amendments placed within it. I don't know where it got to on the top of my desk—if it was placed on the desk—but it is not here.

Mr. Bullbrook: We are not debating that bill in any event. Forget about it. We are doing Bill 176.

Mr. Bounsall: That's right. That's right. I agree with the member for Sarnia that we're looking at Bill 176.

Hon. Mr. Davis: I am with you at this time.

Mr. Bullbrook: I thought you were with me all the time.

Mr. Bounsall: I was rather disappointed with the minister's opening remarks in that she didn't make the mechanism of this extremely clear to the House at this time. I can only assume that that mechanism is that we'll go through a sort of discussion here tonight on the principle of the bill which we have before us—and that's all that will happen. Then a bill will be introduced later in a revised form containing the minister's revisions and whatever else the minister may consider to include as a result of what is being said here in this discussion tonight. I use the word "discussion" advisedly because that's the way it must be treated when at this late stage in the session, there is no intent to proceed with further consideration of it.

In fact, I find it rather unusual that there would be a second reading introduction at this time at all. I am told sort of unofficially that it will not be proceeded with in this session. The minister has had persons indicate to her since the introduction of the bill—which was in any event such a recent introduction—December 2—that they weren't necessarily happy with the bill in its entirety. The only reason I can see for this discussion now is simply to get across to the minister exactly those parts or portions of the bill that we are finding, from persons who contact us, those portions where the unhappiness lies. Then the minister and her staff can judge that degree of unhappiness between now and March and incorporate those changes into the bill which she will present to us.

About the bill before us, I think we've all received telegrams from virtually every

major international union in the construction field urging us to send the bill to committee outside the House for a thorough understanding of what the clauses in this bill are going to do. I expect the minister's phone has been like mine—I've had virtually every group in the province phone me and ask various questions about it — does section whatever mean so-and-so? Although by and large those people who've contacted me are in favour of the overall general principle of province-wide bargaining by trade or craft in the construction industry, they do have a lot of concerns about various sections of the Act. There is not so much opposition to various sections, but rather questions about what it means.

If I say to them I think that section means such-and-such and this is how I feel it's going to operate, and they then say to me, but why couldn't it operate in this other direction, I certainly have no answer for them. When the various locals of the construction trades are asking their higher executive officers what it means and are again told they think it means a certain procedure we'll follow, or a certain type of structure will result, the executives are then asked, "Where does it say that in the bill?" And of course, the bill doesn't say that. It's conjecture on their part—what it means. This very clearly points out the need for a thorough discussion outside this House in committee so that the minister and her staff can respond in detail as to what the bill means. In fact the bill may require the addition of sections and amendments to sections.

[6:30]

One other major point I'd like to make in my simple general remarks on the bill is that most people, unless they have worked some years in the construction industry, find the present bargaining structures, the present patterns and the present relationships within the construction industry very hard to unravel and very hard to follow. When they get into jurisdictional disputes and what have you and when they hear of these between unions and the construction industry, they are usually at a loss to know just what is going on. In fact, several quite bright people involved for some years in the construction industry have said to me that even after all those years they do not thoroughly understand the construction industry. They might understand their one particular craft within it, be it bricklaying, be it ironworkers, or be it carpentry, but they don't really know much about and can't get much of a

handle on what really goes on in an other major craft or major trade in the construction industry.

With people who are knowledgeable in this field and who are quite bright and capable of learning in the field make statements like that, it really is difficult for virtually all of us here as laymen to understand what is actually being said or not said in various sections of this bill. In one sense, this is one of the few bills that I have ever seen where it would have been useful to have a committee discussion outside the House prior to second reading. I gather that may well be the minister's intent. We are going through a small discussion stage here tonight because it is going to be introduced again in the spring, although again I am sort of conjecturing on that as the minister didn't say that, if I heard her correctly, in her remarks before the House here tonight.

Perhaps that is really what is going to take place. You have presented to us another copy reprinted for consideration by the committee of the whole House. I suppose it will be in existence for the next three months and people who have concerns can look at it and a further expanded copy which may answer some of their questions. Again, I am in the position of being only able to conjecture that that is the case. Just to make sure that that is the case, I really had expected the minister to indicate that the mechanism was that a second reading sort of discussion be given tonight and that the bill would be re-introduced in the spring so that a thorough committee stage discussion could take place outside the House. I am rather surprised that she didn't.

Just to make sure that that is what is going to happen—and I am sure the Liberals would support us in this situation—unless the minister makes it very clear, I will move, seconded by Mr. Mackenzie, that Bill 176 be not now read a second time but be read a second time not later than three months hence.

Mr. Speaker: Mr. Bounsall moves that Bill 176 be not now read a second time but be read a second time not later than three months hence.

Mr. Bounsall: Just continuing on, the construction industry has been around and there has been organized bargaining in the construction industry for a long time. To think that we would introduce a bill on December 2, which would propose the restructuring of the bargaining, all of which was to be accomplished in order that bargaining under the

new structured situation take place on April 30, 1977, is a little unrealistic. There is no great rush in this bill.

If the bill had been introduced earlier in the session, when the bill could have gone outside the House and the questions that were in the minds of so many persons could have been answered in committee sessions in time for it to pass at the end of this session. I suppose that would have been acceptable, because perhaps the restructuring could have been done and the internal reorganization of the bargaining agents, both for the employers and the employees, could have taken place in time for meaningful negotiations to take place somewhere around April 30. I certainly wouldn't expect much negotiation would take place in advance of April 30; it would then take place after the present contracts had expired, because of the reorganization that would be required. That might have been possible if the bill had been introduced early in the session, but its introduction on December 2 clearly did not leave enough time for the committee stage to take place, which is so necessary in this bill.

Turning to the few comments I have on the bill itself, certainly all of the representation that I have received—and it is mainly from the employees' side—is very critical of sections 136, 137, 138 and 139. This is where the outline of the co-ordinating agency is provided. I need not explain to the minister or to the House what that co-ordinating agency is, other than that, according to the bill, if the minister so designates—and I don't think it would be here unless she was going to—through the Lieutenant Governor in Council, a co-ordinating agency is where all the employer bargaining agencies are combined into one co-ordinating agency. Although they are enjoined in section 139 from exercising or purporting to exercise the bargaining rights held by an employer on employee bargaining agency, the fact that a co-ordinating committee, has solidified into existence certainly indicates to me that this will be being done informally.

The Franks commission report, which contained a study on the bargaining structure, indicated that two of the main groups making submissions—CLRAO and a group that speaks for the purchasers of construction—wanted a co-ordinating agency or something of that type in existence with veto power, which was clearly unacceptable. What we have before us is a proposal for a co-ordinating agency that doesn't have veto power. There's no question in my mind that once it is formed, and once those people are meeting,

that amongst them all they will be indicating to each other on an informal basis what would or would not be acceptable in each of the individual crafts or trades.

To me, it is poor legislation to have to form a co-ordinating agency of employers. In fact, it brings up the point as to whether these clauses in the bill don't really violate section 4 of The Labour Relations Act, which states: "Every person is free to join an employers' organization of his own choice and to participate in its lawful activities." This is clearly an employers' organization, a co-ordinating agency of all those employer bargaining agencies and, in my opinion, in that respect it violates section 4 of The Ontario Labour Relations Act.

I understand that various of the employer groups are also opposed to the co-ordinating agency. I would suggest there's a majority involved in the construction trades—virtually the totality of the employees on one side and some employers on the other side—who are not in favour of a co-ordinating agency. In that respect this section of the bill, when it comes before us in some revised form, possibly next spring, is not a section that we could support.

Another section of the bill which is of concern concerns section 127 of the Act in which discretion is given to the Lieutenant Governor in Council on the recommendation by the minister to designate the trades or the crafts involved. Here again, this is nothing personal to this particular Minister of Labour when I say it is poor legislation to give to a particular minister or the ministry this kind of discretionary power to sit in judgement in a bill which is going to completely reorganize the bargaining structure in the province of Ontario. It is poor legislation to give that minister or that ministry discretionary power to decide and designate what trades and what crafts are going to be amongst the group of 25 or so which are going to exist for the purposes of province-wide bargaining under this Act and where the same power to designate exactly the employee bargaining agents which will be their counterparts under this Act and answer those questions which pertain to those.

I don't know what kind of a judicial-type or semi-judicial-type hearing the minister or someone in the ministry is going to have to hear brief presentations on why or why not.

Hon. B. Stephenson: It is in the revised Act.

Mr. Bounsall: If it is in the revised one, we certainly haven't had time to look at it.

If there is something contained in this other Act which has come before us in the House tonight which speaks to that, that is not the Act which we are discussing at this time. It's the Act as tabled, introduced and appearing in our books that we are discussing at this point. We have in Ontario a very well respected, quasi-judicial body, the Ontario Labour Relations Board, with persons on that board conversant with the problems in the construction industry.

It's to a panel of those persons from the board that representation should be made as to what forms of trade and what forms of craft and the best employer organization there should be for purposes of the bargaining in this Act. It's a panel where briefs can be presented and arguments heard. With their knowledge of the construction industry in the province of Ontario decisions can come forth from that Ontario Labour Relations Board from the panel chosen thereon. I would suggest that it should be one single panel dealing with them entirely. It's that board which should be deciding matters of this kind and certainly not, I say, with no personal reflection intended, the minister or some one body or group within the ministry making this determination. As I say, I haven't had an opportunity to look at the revised Act tabled before us tonight but I can't imagine that type of procedure being in any way looked upon as the proper type of legislation we need for purposes of the Act.

One could go on and talk much further about Bill 176; for example, the concern that people have about what is an affiliated bargaining agency when it's defined as a bargaining agent affiliated or related either directly or indirectly with other bargaining agents. What is a direct relationship? What is an indirect relationship under that sort of relationship? Who is and who is not included, and so on? There are many questions about that kind of loose wording in the Act and everyone seems to have his own interpretation. That again is the type of question which needs to be decided by discussion outside this House so that it's cleared up to everybody's knowledge and satisfaction and we know exactly on what we are voting when we support or do not support this particular bill.

[6:45]

Other various mechanics of the bill have been pointed out to me by other and various persons. For example, under this new structure, if you follow the sections of the bill

which have been introduced and which would now form new sections from 125 on, in The Labour Relations Act, how are grievances going to be handled? It appears there has been at least a reference left out of section 112(a) of The Labour Relations Act. If that is the intent, to have 112(a) operate again in this section of the construction bargaining, at least a reference to that needed to have been made—or whatever type of grievance situation is necessary should be spelled out in this bill.

I think that's all I intend to say on the bill. It's a bill which should have been introduced earlier if it was to be concluded in this session. It must go for a full discussion outside the House for all those interested persons to have their questions answered. I'm not saying that the purpose for that would be to indicate their opposition or their favour, but more to get their questions answered. It's my feeling that the majority of employers and the majority of employees in the construction industry in Ontario would prefer to have it on this province-wide basis. That may well be the most rational way to organize this entire industry with respect to its bargaining at contract time. But I would anticipate then that that committee stage would be a series of clearing up questions. It would certainly be an educational process for the members of this House to see the complexity and the different situations that arise in the construction industry as exemplified by their necessary bargaining.

I might say to the minister that we suffer from the same feeling over here as well—whenever one has a good idea about what might work in a general overall way, the tendency to want to see that idea come to fruition in legislation as quickly as possible is rather overwhelming. But there's no need to have this in place for the round of bargaining in April 1977. There are certainly some groups of employers and some groups of employees who would very much like it in place—no question about that. You've had representation from those persons as well—but they happen to be in the minority. Even they are saying to us, with the possibility of change in the Anti-Inflation Board regulations before us, there is no way that we would be willing to sign a collective agreement that would commence on May 1, 1977—that was any longer than a one-year collective agreement.

So the minister need not be concerned about this bill being introduced in March, with a thorough discussion taking place and the bill passed somewhat later in the spring to take effect for April 30, 1978, because so

many of the contracts which will be signed, effective May 1, 1977, will be one-year contracts, so you'll still be picking up all of those one-year contracts by bargaining time 1978, and all those other contracts whose normal termination date now is April 30, 1978.

With what is anticipated as the length of contract that would be signed under normal conditions that are prevailing for this coming year, those being one-year contracts, we have no need at this point to rush this legislation through.

Mr. Bullbrook: Mr. Speaker, I know that you will rule me out of order immediately because it's not a question on the principle of the bill, but I want to wish you a merry Christmas. I also want to convey to all my colleagues, the clerk's staff, the Hansard staff, the press gallery and those who abide the tribulations of this House, season's greetings from myself. I want also to take the moment to point out that it's been brought to my attention by my colleague from Renfrew North that if the vote goes a certain way this will be the last speech I'll ever make in the Legislative Assembly.

Some hon. members: No.

Mr. Bullbrook: Which could be a great relief to many people, I am certain. In any event, I want to dispose with the hoist motion right off the bat, if we can. We won't support the hoist motion because of the fact that it's a redundancy, it's not necessary. The minister has had an understanding with it. The bill is not going to proceed, it's going to die on the order paper as of tonight or tomorrow. What we are attempting here is to signal to those people in the construction industry that it is our intention to support in principle that principle of province-wide bargaining in the construction industry. That's my total understanding of it. Frankly, I don't mean to be offensive, but there's an inference in the hoist motion that perhaps we don't trust each other around here. I want to say I do trust the minister and I'm not going to ask my colleagues to support that motion at all.

Let's talk about the bill. We will be supporting the principle of the bill; it is something that's necessary. I subscribe to some of the comments made by my colleague from Windsor-Sandwich with respect to the legislation. I'd be less than human if I didn't point out that people might want to reflect upon statements made by the member for Sarnia on May 16, 1968, where he called for the principle of province-wide bargaining in the construction industry, where he called for the principle of coterminous contracts in the con-

struction industry, where he recognized at that time that the leap-frogging and whipsawing that was going on in that industry was leading us down a path towards inflation.

There is no doubt about it and it has to be said that no industry in the Dominion of Canada has been the cause of the inflationary cycle that hit us as has the construction industry, and they've got to bear that responsibility. It is indeed unfortunate that the governments on all levels didn't recognize what was going on because there would be no need for any Anti-Inflation Board in the Dominion of Canada now. Just hark back to what was happening in the fifties and sixties, when it wasn't a question of competition, but it was a question of having to fill a need. It was a question of building, capital development, houses, shopping centres, plants, factories, schools, public institutions. And what were we faced with? We were faced in my riding, I recall distinctly in 1967, with some of the most ludicrous, ridiculous circumstances that one could envisage in the collective bargaining process.

For example, we had the "chemical valley" shut down as a result of strikes by the trades. Where were some of the trades? While they were on strike in Sarnia, they were working building the Ford plant in Talbotville in St. Thomas. What kind of collective bargaining are you going to get when that goes on? What happened was once the electrical workers came to a conclusion with respect to their contract and everything was fine, we'll find that the millwrights would go out or the labourers would go out. It was one constant turmoil in the industry. It didn't require anybody of expertise or knowledge to know that with every contract, as a result of that competition and as a result of that need, it was thrusting up the rates.

I don't say this to say that the tradesmen should not have been paid more; certainly they should have. They themselves recognized that technological changes in the construction industry had changed the essential ingredient of construction trades bargaining. In my father's time it was impossible to think of working during the winter. I want to say that I quit law school in my second year to go to work on building the jet base in North Bay; I ran a batching plant there and poured hundreds of thousands of yards of concrete at 20 degrees below, which couldn't have been done in 1930 and 1920.

One of the overriding considerations in bargaining in the construction industry was the fact that the people couldn't work the year around in this climate. As a result, they traditionally had to be compensated for that

inability to work because of the climate. And yet their outstanding obligation to their families had to continue; there wasn't at that time any type of social service programme like unemployment insurance.

It seems to me that adequate consideration wasn't given in the process in the 1950s and the 1960s. What happened was that management knew, no matter what rates were bargained, that there was someone who could pay, because these things that I talked about before had to be built—schools had to be built. Of course, as the leap-frogging created larger costs, these costs were passed on. They were passed on to the taxpayer when you built a school and to the home owner when you built a house. When you built a plant they were passed on to the manufacturer, who built his additional capital costs into his product—and the consumer paid again. In the shopping centre they were passed on in the leases to the retailers, who passed it on to the consumers in the eventual cost of the products.

At that time, something had to be done in the construction industry—and it was spoken of. The Premier of the day and his successor were pleaded with by myself to come to grips with it and to have a look at it, because it wasn't only the politicians who were concerned; it was the intelligent people who were running the contractors' associations and the intelligent leaders of the trade union movement. They recognized that the essential value of the dollar that was being bargained for was being eroded by the very process itself and nothing was done.

It is something for which this minister can't bear the burden, but for which this government has to bear the burden. So does the federal government; it really does. They walked collectively with a blind eye. The discussion that took place at each Premiers' conference in those years—about tax rentals and about the shifting of points, which still continues—was important. But at no time did they ever seem to want to talk about the questions of our economy and where we were going or the question of productivity and where it was going.

If there was no leadership from government, we couldn't expect to get leadership except where we got it from. Happily we got it—we got leadership from the construction unions and, to some extent, from the construction industry. They finally recognized they couldn't continue in this fashion, and there developed an understanding, a rapport, between them. As happy a rapport, frankly, as in any industrial bargaining in Canada, I

think, even now takes place in the construction industry.

Certainly if my riding is any example of it, and if the people with whom I've met over the last week are any example of it, I want to voice for the record that the only group that I found less than co-operative was the Construction Labour Relations Associations. They're the only ones. They were adamant and unduly direct in insisting that in no way should we hold up this legislation. They didn't seem to even care what the quality of the legislation was.

[7:00]

I don't want to offend the minister by saying this but, surely to goodness, no one in their right minds can subscribe to this legislation when they realize the minister has just brought in what purports to be a reprint of Bill 176—it isn't, in effect, but it purports to be a reprint of Bill 176—filled with amendments thereto. I don't want to waste the time of the House going over the reasons. I had to be adamant in my recommendations to my caucus colleagues that, of course, we support the bill in principle. It's something that needed to come for a long time but it's late to compliment the government on the appointment of the Franks commission to study collective bargaining in the construction industry.

I don't mean to be offensive to the wise professor, but I recall reading the interim report and it put forward all the questions that were plaguing so many people—but questions also that had been debated in this chamber. I think it's only appropriate that we give credit to ourselves in that respect. At least we did recognize over the years what the problems were.

In any event, we have the final report which came through in June and this is a sincere attempt by the ministry to adopt some of the recommendations. And so as I say, by way of compliment, further by way of action, we support the principle. I'm very pleased also that it is not going to committee now.

There are certain aspects of the legislation that—I haven't had an opportunity, nor has my colleague from Windsor-Sandwich, to look at the minister's amendment. I appreciate what she's doing. I think the intention is, as I said, that we all three will signal in the industry that the minister is going to have this legislation in place in March and that the ministry and others will in the meantime be attempting to establish the structure that's necessary to complement the legislation. The minister, in addition, has seen the need for

certain amendments, Mr. Speaker, and is, in effect, advising the public of her intention with respect to the amendments Bill 176.

I want to make some specific recommendations. I would appreciate your indulgence by my referring to certain sections of the legislation, but the minister I think is interested in knowing what the Liberal Party will look to when we come to standing committee. It's absolutely essential that we have that; I completely support the position taken by our colleague from Windsor-Sandwich. We've got to have public input and we've got to understand the ramifications of it.

Also our colleague from Windsor-Sandwich was correct that the main concern that's been expressed by knowledgeable people deals with the co-ordinating agency. There has to be a more significant definition of the structure of the co-ordinating agency itself. I anticipate there's going to be more than one co-ordinating agency. First of all, I thought there would be 25 co-ordinating agencies dealing with the various trades. I realize it's out of order for us to get into a dialogue, but maybe by way of assent—There certainly is an intention that there be more than one co-ordinating agency?

Hon. B. Stephenson: Perhaps.

Mr. Bullbrook: Perhaps. Because when one looks at the wording of the legislation, for example, section 137 says, "a co-ordinating agency" and, of course, the pronoun "a" connotes that there would be more than one, otherwise it would say "the co-ordinating agency." So I presume there's going to be more than one co-ordinating agency.

I understand the function that's intended with respect to the co-ordinating agency. It's obvious under section 139 that there be no power vested in the co-ordinating agency to undertake the collective bargaining procedure. That's got to be spelled out in more detail. I think we've got to have recommendations with respect to amendments to section 139 that will spell out the exact function of the co-ordinating agency. It's really one of moral persuasion and education and the dissemination of information, as I understand it, during the currency of the bargaining process. That's what I understand it to be.

I believe it's important, therefore, that those people who are involved should meet with the approval of those who are going to effect the collective bargaining. It's very important. Therefore, I think we've got to understand that although we repose great confidence in the Lieutenant Governor in Council, this Legislature especially in a minority context, has to know what's going to go on.

When you couple section 136 to section 127 to set the designation of the employer bargaining agency and of the employee bargaining agency, there is just too much leeway given to the Lieutenant Governor in Council. We went through this on Bill 138. I want to convey to my colleagues, if I can, that we don't pass legislation with respect to the incumbency of this government or the incumbency of this minister. I, therefore, will exaggerate for the sake of clarity. Consider for a moment the province of Ontario being governed under this legislation by an extremely radical party which had an almost totally unilateral commitment to one of the parties to the collective bargaining process. Consider that for a moment.

Mr. Gregory: Give us a hint.

Mr. Bullbrook: Perish the thought that that would ever take place, but consider the powers of that government under this legislation. What the minister could do is he could create a co-ordinating agency overweighted in one fashion. He could render almost nugatory any of the functions of the co-ordinating agency. I'm sorry, I don't mean to be offensive; he or she could.

Hon. B. Stephenson: Thank you.

Mr. Bullbrook: When I say "he," please read "he or she."

Hon. B. Stephenson: It's a generic.

Mr. Riddell: It is safer if you use "it."

Mr. Bullbrook: Please never read "it," I hope.

Hon. B. Stephenson: I hope.

Mr. Bullbrook: He could, for example, designate the constitution of the employees' bargaining agency in a fashion that its powers and its ability to properly bargain were rendered nugatory and were rendered useless.

Mr. McClellan: Is this an inevitability you are describing?

Mr. Bullbrook: No, not at all.

Hon. B. Stephenson: No, it is a description of doom.

Mr. Bullbrook: As a matter of fact, when I use the phrase "extremely radical" I don't think there's anyone at present incumbent who could form part of that government because I have found, frankly, my present colleagues hardly radical at all.

Mr. Maeck: It must be Christmas.

Mr. Bullbrook: I am trying to give an example of how careful you have to be when you pass legislation. You're now giving that minister the power to recommend the constitution and the establishment of the employee bargaining agency. And, boy, are we going to make that one a dandy. In effect, there is no true collective bargaining left. You've got to be extremely careful when you're enacting legislation that gives these tremendously discretionary powers to the Lieutenant Governor in Council without the Parliament understanding the definition, delineation and restriction of those powers.

That's why the words under section 127 have to be changed. We've got to know what the constitution of the employer and employee bargaining agencies is going to be. We've got to know what powers they have. We've got to know what powers they have with respect to the local agreement. We've got to know the powers of the affiliated bargaining agencies. We've got to know what the restrictions are there. Are you going to have local appendices to the provincial concept or are you not? We've got to assure that there is adequate representation, satisfactory to the trades themselves. We've got to come to grips with the question of the ratification by the affiliated bargaining agents with respect to the provincial agreement. We've got to come to grips with the question of voting powers. Are they to be weighted or are they not to be weighted? These are all things that the legislation doesn't speak to.

Therefore we've got to say to CLRAO, as much as we don't like to, this bill isn't going to be passed. It's certainly not going to be passed as far as the Liberal members of the Legislature are concerned. We're going to take the position that we'll support the bill but we're going to want many, many changes. It had been my original intention to go on at great length.

Mr. Eakins: Go on.

Mr. Conway: More.

Hon. B. Stephenson: He never needs any encouragement.

Mr. Bullbrook: I want to point one thing out to the minister. Let me show what I think is an apparent absolute difficulty in the legislation. Section 130 reads: "Where an employee bargaining agency has been designated or certified to represent a provincial unit of affiliated bargaining agent, all rights, duties and obligations under this Act of the affiliated bargaining agents for which it bargains shall

vest in the employee bargaining agency but only for the purpose of conducting bargaining and concluding a provincial agreement."

I want to read that section to you in the context of section 112(a) of The Labour Relations Act. If you will bear with me for a moment I will try to find the page as quickly as possible. That section, in effect, says that only a party to a collective agreement can institute a grievance. That's the intention of that section.

Think of it for a moment. The affiliated bargaining agent is not a party to the province-wide collective agreement. So under section 112(a) of The Labour Relations Act the affiliated bargaining agent cannot institute agreements with respect to the contract. You would then say to yourself the employer bargaining agency will institute the grievance. But the problem is, section 130 of the bill gives the power to the employer bargaining agency only for the purpose of conducting bargaining and concluding provincial agreements. So neither the affiliated bargaining agency nor the employer bargaining agency has the power to grieve, as I read the statute. I could well be wrong but that's the way I read it for the present moment. So we require a look at that.

I took the extra time purely to put it on the record for those people throughout the province who wanted us to expedite the agreement and to ask them to bear with us in this respect. I asked them if they read Hansard to have some sympathy for us Liberals. Eight years ago we asked for it and didn't get it. Two years ago, finally, the minister of the day decided to look into collective bargaining in the construction industry. In June of this year, the final report came down. And on December 2 we get the legislation.

So if we say please give us an opportunity to digest the legislation, give the public and especially those people who are directly affected an opportunity to have input, I don't think we are being obstructionist in our attitude. We don't mean that. I want to send out a signal to CLRAO and let the record show I raised my voice. Those men were offensive to me.

Mr. Mancini: No.

Mr. Bullbrook: It was a happy circumstance to meet with the mechanical contractors association and the plumbers and the pipefitters, to see the liaison they have and then to have the people from CLRAO say, "Aw, don't listen to those guys, they are in bed together." I hope every collective bar-

gaining process in the province of Ontario gets in bed together like that.

I want to record for the people of Ontario that if I were Minister of Labour CLRAO would have nothing to do with the co-ordinating agency—make no mistake about that—if that's their egotistical, self-centred, narrow, opinionated approach, to try to lay the blame on people for putting legislation before a standing committee where the public can have input. One of them had the effrontery to say to me, "Why do you have to let the public have input?" Imagine people coming to a parliamentarian and asking him to expedite legislation and not understanding the essential democratic process in this province. Thank God we've got a Minister of Labour who seems to understand this.

[7:15]

That was a very vigorous signal that I gave to them. But, majority government or minority government, that obtains; when the public want to make input, they should be given the opportunity of doing so.

Legislation should only go to committee of the whole House, in my opinion, under adequate rules and when there is unanimous consent. That's the way legislation should be passed, in my respectful opinion. Were I Premier of Ontario, I would ask the Legislature to entertain that type of rule, that legislation goes automatically to standing committee. If one member feels that the public should have input, so be it. It should need unanimous consent to go directly to the committee of the whole House. Then people such as CLRAO will understand what the process is all about.

You've been very indulgent with me, Mr. Speaker. I again compliment the minister for the legislation. We'll try our best, as part of the opposition, to co-operate in bringing forward your intention and the intention of Professor Franks.

Hon. B. Stephenson: Mr. Speaker, if I might clarify some of the concern which has been expressed regarding the apparent delay between the reporting of the Franks commission and the introduction of the legislation, that period of time has been taken up with almost daily consultations with the parties concerned. It was felt, as a result of this degree and amount of consultation, that indeed almost everyone who could have some concern about this type of legislation would have had the opportunity to make those concerns known to us.

It was therefore with a little bit of chagrin, after the first reading, that we entertained the notion that there were some groups within the province who were not totally happy with the concept as proposed in Bill 176. With the overall concept, I think there is general agreement; with certain specific parts of the concept, there is certainly some opposition. As a result of that, it has been decided that it would be wisest to develop some kind of mechanism whereby there could be adequate public input into the deliberations regarding the clause-by-clause reading of this bill.

I had really hoped—and I have to tell you this, Mr. Speaker—that we would have the opportunity to have all of this done by January 1, because I am informed by both parties that if such legislation is introduced, it will take them a moderate period of time to gear up for the system which, in effect, is being developed through this legislation.

It is my sincere hope that, with the support of other members of the House, when this House is again open in the spring, that we will be able to reintroduce the legislation immediately, move immediately to standing committee and begin immediately the careful scrutiny of the legislation and the amendments which undoubtedly are going to be introduced by my colleagues from the Riviera of Ontario, Sarnia and Windsor, and that in a relatively short period of time the legislation will be ready for presentation again to the whole House.

I believe it would be useful to have it in place at least for the beginning of negotiations for the coming year. We won't have it in place for January 1, and I am informed by some trade unions that indeed they would need to know at that time. Therefore, upon making the decision that there had to be public hearings in standing committee for this bill, it was our intention to ensure that some of the concerns which we have heard over the last couple of weeks, since the introduction of the bill at first reading, might be clarified for those people who are going to be examining the bill in the interim. That is why the reprinting of the bill has been done, with the addition of the amendments which we felt were appropriate in order to solve some of the problems which some of the critics found in the bill and in order to ensure that the intention of the bill was clearly demonstrable for those who would be perusing the legislation in the interim period.

I would point out to the hon. members that some of the concerns regarding section 137, for example, and section 136, may be removed as a result of that reprinting, because

there have been some clarifications therein. The co-ordinating agency perhaps is not defined as specifically as the hon. member for Sarnia would like, but I know he has an inherent antipathy for anything which smacks of ministerial discretion at any time. I understand that and I understand his reasons for it as well. However, I would remind him that there is no piece of legislation that is etched in stone, that indeed any one of them can be changed. If it doesn't work in the form in which it is presently delineated, then that can be modified and I would ask him not to be too unhappy.

I really would like to wish the hon. member a merry Christmas because I understand that he may not be back in this House and I find that a very sad kind of scene to contemplate. Without that smiling visage across the floor, I think life will be very much duller in this institution. However, having said that—

Interjection.

Hon. B. Stephenson: Having said that, I am aware of some of the problems that he has with certain kinds of thoughts and some concerns that he has about certain types of legislation and I can accept those. But I really believe that he has to be aware of the fact that this is new and experimental legislation. Not new to the member because he suggested it in 1968—and I bow to his superior capacity—but it is new legislation for this House. I believe that it has to be considered reasonably experimental and therefore not something which we have to consider came down the mountain with Moses.

Mr. Bullbrook: When legislation is etched, we find it hard to get it unetched.

Hon. B. Stephenson: I find that an intriguing suggestion, Mr. Speaker, and probably this has been the public perception of legislation for some time. I do hope that as a result of experience that public perception will change quite dramatically.

Mr. Bullbrook: Good, I hope so too. We think you'd do it too. That's great.

Hon. B. Stephenson: There were other suggestions which the hon. member for Sarnia and, indeed, the hon. member for Windsor-Sandwich made as well. Obviously the member for Sarnia would like the function and the construction of the power of the Lieutenant Governor in terms of establishing employee bargaining agencies and employer bargaining agencies spelled out absolutely to the letter so that there can be no variation, no aberrations, no concern about moderate moves

in one direction or another, which might arise as a result of the legislation as it is presently stated.

I find that an intriguing suggestion. I still think he is being a bit rigid about it, but this is something which will be considered very seriously within the committee. I appreciate his presentation of the potential amendments which he might bring in.

I would remind the members—no, I wouldn't remind them because the members of the House do not know, but there are specific concerns about the apparent conflict between sections 130 and 112(a). That has, I think, been corrected totally by the addition of an amendment which is 134(3).

Mr. Bullbrook: Oh you modified it. Good.

Hon. B. Stephenson: Yes, and it specifically removed that conflict, which I think will solve some of the problems.

But I really do feel very strongly that this legislation is vitally needed in the construction industry, in the industrial, commercial and institutional sector of this industry, at this time. I believe very strongly that we should not depend upon the projection made by the hon. member for Windsor-Sandwich that because of the fact that the anti-inflation programme is still in existence, the contracts which will be established hopefully in late April, early May of this year will be for one year only and therefore we can have the legislation in place for the next year.

I think it would be much wiser if the employers and the employees in the construction industry were aware of our intentions regarding this legislation, could begin to establish mechanisms within their own structures to accommodate this kind of legislation at the time that the legislation is enacted and, in fact, could apply this new mechanism to the agreements which are reached this year. I think it would be good for the construction industry as a whole. I think it would be good for the economy as a whole. I think it would signify that the legislators in this province are aware of the joint concerns of employers and employees in that industry—aware of the kinds of efforts which they have jointly put into developing the concepts which are embodied in this legislation. I think we should support them fully and I think we should give this very interesting experiment a chance to come to good fruition, which I think will be of benefit to all of us.

Mr. Speaker: Those in favour of Bill 176 being now read a second time will please say "aye."

Those opposed will please say "nay."
 In my opinion the "ayes" have it.
 Motion agreed to.

NOTICE OF MOTION NO. 10

Hon. Mr. Welch moved resolution No. 10.

"Resolution: That the order for the adoption of the second interim report of the select committee on the fourth and fifth reports of the Ontario Commission on the Legislature be discharged, and the following be adopted:

"1. Two copies of each ministerial statement shall be delivered to party leaders, or their representatives, at or before the time the statement is made in the House.

"2. The question period shall be extended to one hour; opposition party leaders each having two questions plus supplementaries; and further questions be by rotation among all parties, starting with the official opposition.

"3. Parliamentary assistant shall be able to question ministers other than their own, and be able to answer for their ministers when authorized by the Premier.

"4. There shall be a half-hour adjournment debate as provided in standing order 28 each Tuesday and Thursday at 10:30 p.m., and a member shall give verbal notice of his intent to raise a matter in the debate immediately at the end of the question period at which the question was asked, and the reasons for the member's dissatisfaction shall be filed with the Clerk at the table by 8 p.m. the same day.

"5. The government shall provide a response to the House within two weeks to all petitions presented to the House.

"6. Every report of a committee, other than when reporting bills which have been referred to it, shall be tabled in the House by the committee chairman, accompanied by a brief statement from the chairman only; and any such report which includes a request for consideration by the House shall be entered on the order paper as a government order.

"7. The Clerk of the House shall maintain a record in his office of those reports required by statutes which have been tabled and those outstanding. The government shall present all such reports within six months of the close of the reporting period, unless reasons are given to the House; annual reports of the immediate past reporting period for each ministry, and boards, commissions, and other

agencies reporting through each minister, shall be tabled in the House before consideration of that ministry's estimates, unless reasons are given to the House. On the petition of any 20 members, any such report tabled shall be referred to a committee of the House.

"8. After any policy statement or introduction of a government bill, the government shall table a compendium of background information of the type proposed on page 50 of the second report of the Ontario Commission on the Legislature.

"9. (a) Any return, report or other paper required to be laid before the House in accordance with any Act of the Legislative Assembly or in pursuance of any resolution or standing order of this House may be deposited with the Clerk of the House on any sitting day, and such return, report or other paper shall be deemed for all purposes to have been presented to or laid before the House. A record of any such paper shall be entered in the votes and proceedings of the same day.

"(b) The ministry concerned shall distribute copies of reports to all members and copies of any background material tabled shall be sent to the opposition critics.

"10. (a) Written inquiries of the ministry shall be dated;

"(b) The minister shall indicate to the House within 14 days if the answer will be costly or time-consuming to prepare, or if the minister declines to answer;

"(c) A notation shall be put below the question indicating that the minister has made an interim answer;

"(d) If a member repeats any unanswered question in the ensuing session, the date of the original notice thereof shall be shown.

"11. The government House leader shall announce the following week's business before the adjournment of the House each Thursday.

"12. At first reading of an amending bill, the minister shall file with the Clerk of the House, and send copies to the opposition critics, an up-to-date consolidation of the Act or Acts to be amended by the bill.

"13. A bill may not pass more than one stage in one day if opposed by 20 members standing in their place.

"14. No order for second reading of a bill may be called until the bill has been printed and so marked on the order paper.

"15. 'Order paper' means the order paper distributed that day.

16. The House shall not sit past 10:30 p.m. if 20 members object to the government motion by standing in their places.

"17. A bill shall not be called for second reading if the Clerk of the House is notified by noon of the sitting day following the introduction of the bill of intention to give notice of a reasoned amendment and such notice of a reasoned amendment is filed with the Clerk of the House by noon of the second sitting day after introduction. If the notice of a reasoned amendment is not so filed, the notification of intention shall lapse, and the order for second reading may be called immediately. If the notice of the reasoned amendment is filed as required the order for second reading shall not be called before the third sitting day after introduction of the bill.

"18. When 20 members stand in their place, after second reading of a bill, the bill shall be referred to a standing or Select committee of the House as the minister having charge of the bill designates.

"19. When a bill is referred to a standing or select committee after second reading, consideration by the committee shall not begin until five days after such referral. At the time of referral the minister having charge of the bill may request the waiver of this interval but such waiver shall not be granted if 20 members register their objection thereto by standing in their places.

"20. That amendments proposed to be moved to bills in committee shall be filed in the office of the Clerk of the House at least two hours before the sitting at which they will be moved, copies of which shall be distributed to the other parties by the mover.

"21. A full Hansard service shall be provided to committees considering estimates, and a tape recording without transcription shall be made of all other committee proceedings.

"22. Sufficient copies should be printed of any bill which may be of particular public interest.

"23. The Speaker shall reduce the number of strangers under the press gallery and behind the members' benches by prohibiting standees.

"24. The motion for interim supply requires notice, and such notice shall include a time limit of not more than six months.

"25. There shall be a minimum of eight sitting days allocated for the debate on the motion for an address in reply to the Speech from the Throne, which debate shall be completed before the introduction of the budget.

"26. A minimum of eight sitting days shall be allocated to the debate on the budget motion, the first five days of which shall be consecutive; the first day for the Treasurer's budget statement, the second and third days for the opposition critics, and the fourth and fifth days for other private members.

"27. The estimates of approximately half the ministries shall be referred to standing committees.

"28. The main estimates of all ministries shall be presented to the House not later than five days following the presentation of the budget.

"29. The order in which estimates are to be considered shall be chosen in rounds, through the House leaders, with the official opposition first, then the third party, then the government, until all estimates are allocated; and the estimates will, as much as is practicable, be grouped in the committee of supply or standing committees according to policy field.

"30. There shall be 420 hours for the consideration of all estimates and following consultation by the House leaders, the government House leader shall announce the allocation of time for each set of estimates.

"31. Estimates or legislation shall not be considered in any standing or select committee while any matter relating to the same policy field is being considered in the House. Not more than two standing or select committees shall meet to consider estimates at the same time and, any member rising on a point of order before the orders of the day, and being supported by 19 other members standing in their places, shall prevent more than one standing or select committee considering estimates from meeting concurrently with the House.

"32. Ministers should provide advance briefings to their opposition critics before consideration of their estimates, in a format to be determined by each minister.

"33. Before the consideration of the estimates of any ministry, the minister shall, where possible, table the latest estimates of actual expenditures in the preceding fiscal year.

"34. Management Board orders shall be printed as an appendix to Ontario Finances, with an explanation of significant variances from printed estimates, and a summary of special warrants shall be tabled on the first sitting day following the issue of the warrants.

"35. In each session the official opposition shall be entitled to three non-confidence motions, and the third party to two. Such motions may be put at any time upon proper

notice during the session, and the debate on each such motion shall be not more than two and one-half hours.

"36. Private bills shall be referred to the appropriate standing committee; and the sessional deadline for the submission of private bills is removed; the required advertisements shall be completed before referral of the bills to committee.

"37. The following procedures shall govern private members' public business:

"(a) each Thursday, from the completion of the routine proceedings until 6 p.m., shall be allocated for private members' public business;

"(b) the parties shall take turns, sharing the time, with up to 90 minutes allowed for each item;

"(c) there shall be no limit on the right of members to introduce private members' public bills;

"(d) there shall be a ballot in each caucus, conducted by the Clerk of the House, in which each member may enter his name once, to draw the names of members who will be able, in the order drawn, to have a bill or resolution of their choice put to the House for debate and vote;

"(e) the ballots shall be held not later than February 10, 1977, for the session of 1977, and the results shall be posted;

"(f) if objection to the bill or resolution being voted on is received either from one-third of the members by written petition to Mr. Speaker at least 48 hours in advance of the debate; or from 20 members standing in their place when the question is about to be put to a vote, then the item will not be voted on. Debate will, however, have been allowed on the item for up to 90 minutes;

"(g) the names of objectors filing the petition against a vote on any item shall be recorded in votes and proceedings the next sitting day after the deadline for filing a petition of objection;

"(h) the votes on all items not opposed, as above, shall be stacked for 6 p.m., following a non-whipped five-minute division bell;

"(i) Private members' public bills which receive second reading shall be carried on the order paper daily and will be called by the government House leader in the same manner as government orders;

"(j) on any Thursday there shall be not more than two items scheduled unless otherwise agreed by the House Leaders after notice; and at least two weeks' notice of any item for any Thursday shall be provided;

"(k) there shall be no adjournment of the debate on any item of private members' public business from one Thursday to another;

"(l) there shall be no limit to the number of resolutions of which a member may give notice.

"38. In the committee of the whole House there shall be a 10-minute division bell for all stacked votes at the end of the sitting. In the House there shall be a maximum 30-minute bell if a vote is pre-arranged by all parties at any time; and a no-limit bell for divisions under any other circumstances.

"39. All recommendations under the heading "committees" at pages 26 through 29 in the second interim report of the select committee are hereby referred for discussion and recommendation, to an ad hoc committee composed of the House leaders, the whips, and a further representative from each caucus.

"40. The proposal for four large policy-field standing committees, and four other smaller committees, is endorsed.

"41. The select committee's recommendation concerning an expanded Legislature in light of the work load for members is noted.

"42. Undertakings by ministries shall be considered in adjournment debates, after notice, similar to other adjournment debates.

"43. There shall be a maximum 20-minute wait for a vote in standing or select committees.

"44. The select committee recommendations concerning the size and skill of the staff of the Clerk of the House, and the Speaker's panel of chairmen, is referred to the ad hoc committee of House leaders, whips et al.

"45. There should be wider posting each Friday of the next week's committee meetings, throughout the legislative building, and such notices be given to the press.

"46. There should be a messenger or page for each committee.

"47. It is noted that the government does not support, at this time, the recommendations of the select committee concerning research assistants for all members.

"48. It is noted that the government will make known its position on the proposal that Mr. Speaker have jurisdiction over the full legislative building, following presentation of the final report of the select committee.

"Where there is a conflict between any of these procedures and any standing order of the House, these procedures shall take precedence during the fourth session of the 30th Parliament.

Hon. Mr. Welch: Having moved the resolution, I'm not going to take any time at all, except to draw the attention of the members of the House to the notice paper, pages three to eight, where the subject matter of the motion is set out in some detail. I would be very remiss, however, if I didn't say in his hearing to the Clerk of the House and to his very capable staff how much we appreciate the special effort that had to be expended last evening in order to have this in printed form for the members of the House today. They worked very late last night in order to accommodate us in this regard, and I'm quite satisfied it's made it much more practical for us to study this matter. I do want to say to the clerk and to the assistant clerk and to all the staff of the office of the Clerk a special thank you for that effort.

Also I would be very remiss if I didn't indicate at this stage that what appears on pages three to eight is really the result of a great deal of work and negotiation. I'd want to say that it's the product of a number of meetings and I'd want to say thank you to all those who contributed with a very positive spirit. We're now able to present this particular consensus for the consideration of the House.

Mr. Morrow: Although this interim report of the select committee dealing with the fourth and fifth Camp reports was presented to the House on June 22 last, I am thankful to the House leaders that a debate on its contents has been arranged before the House prorogues. I'm also pleased that the government House leader has given the committee the assurance that the government will undertake to implement the agreed-upon provisions during the next session of the Legislature. I would also like to add my thanks to that of the minister's to the clerk and his staff and to Mr. Mackenzie who, I understand, had a good night's work last night in order that it would be on the order paper today so that we could have this debate. I add my thanks to those expressed by the minister.

I can appreciate the fact that the various caucuses, the House leaders and the government have been unable to accept all the recommendations, some 131 in number, because of their very nature and the members' legitimate differences of opinion. But I'm pleased that for the time being at least a great many of the recommendations have been accepted outright and others with slight modifications. I would remind the hon. members and others who may be reading

this report that in assessing the various recommendations, they should always keep in mind the terms of reference given the Camp commission which were, in turn, in effect, passed on to the committee, namely to study the function of the Legislative Assembly with a view to making such recommendations as the commission deems advisable with respect thereto, with particular reference to the role of the private members and how their participation in the process of government may be enlarged, including the services, facilities and benefits provided to the members of the assembly.

[7:30]

The central theme throughout the Camp commission reports was how best to improve the legislative process and at the same time enhance the role of the back-bencher in the parliamentary process so that he may better carry out his responsibilities. We members of the select committee charged with this responsibility kept this theme foremost in our deliberations. Therefore, if some readers of this report are of the opinion that our recommendations are a little radical, and even too generous in some cases, we hope they will understand that we were endeavouring to follow closely our commitment and we were recommending not just for the present but also for the future.

It has been my privilege to view and participate in the proceedings of this Legislature for some 28 years. During that time I have seen many changes. The world in which we are living is a world of rapid change; and parliaments, if they are to survive, must change with the times. Parliaments everywhere are having difficulty responding rapidly enough to the world in which we live. Parliament must become much more responsive than it is today in order to give people more confidence in its existence and in its decision-making.

As I have mentioned, the select committee has looked at the legislative process as a whole, including the private members, with the goal of improving the efficiency of both the House and the back-bencher. Our recommendations for more research assistants, more adequate physical facilities, more private members' time and so on, are in keeping with the purpose for which the Camp commission was established some three years ago. Many of our recommendations are inter-related and interdependent, which was pointed out to the House leaders and the whips of all parties in the discussions prior to the agreement on the accepted format for today's debate. For example, when Wed-

nesday sittings were not agreed to, then one could not justify three adjournment debates each week, or much more time for private members' bills and resolutions.

We bring these recommendations to the House, believing that they will improve our legislative proceedings, which must keep changing with the times and with our ever-increasing responsibilities and, at the same time, to give the parliamentary back-bencher the tools and the expertise to participate and to play a more meaningful role in meeting the responsibilities for which the electorate sends him to the Legislature and to represent them in all its deliberations.

In closing, I would just like to inform the House that the committee has covered, with few exceptions, every chapter and verse of the fourth and fifth reports of Camp, and that the committee will be presenting a final report to the Clerk of the House in the new year in order that a debate may be scheduled during the 1977 session of Parliament.

Mr. Cassidy: Mr. Speaker, I'd like to join with the chairman of our committee in welcoming the material on the order paper and the response of the government to the recommendations of the select committee on the Camp commission reports.

I've had a dual role in this because, along with the member for Ottawa West and the member for St. George, we sat in with the House leaders and the whips in a small committee which, as the House leader has said, negotiated line by line and piece by piece over recommendations which we of the committee had laboured over a number of months before. It was interesting, and at times difficult, to see our labour of love being transmuted in the political fires.

However, I have to say with pleasure that the government negotiated with very good faith on the proposals, and that it's quite amazing if you look at the degree to which the recommendations of the committee were adopted. By our count—the NDP's count is a bit different from the government's; it always is—there were 131 specific recommendations that were made in the report; and all of those, with the exception of about half a dozen, have either been accepted or accepted with modifications by the government during the course of negotiations. I would say in other words that the spirit of the recommendations has been honoured, and the integrity of the report has been honoured with great flexibility, on the part of the House leader.

I think that among other things this is a guarantee that the kinds of difficulties we

had in the running of this House between 1971 and 1975 will never happen again so long as rules like these that are being adopted today are maintained in force within the province.

Of course they are being maintained as an experiment at this time. We'll have to see how they work. There will inevitably be some desire to some need to change the recommendations being adopted now. I would hope, though, that the words of a recommendation before the House that these procedures shall take precedence during the fourth session of the 30th Parliament could over the coming months be expunged.

We may face an election during 1977. I think it would be very healthy if the new government, whether it's majority or minority and whichever party is in power, were to come to power with these rules on the books. Then if it had a majority and wished to change them that would be its responsibility. But I don't think we should be in a position where we go back to the old rules when the next Legislature comes back after the election.

There are several areas which are areas of disagreement or areas where the government did not go along. The major area I want to talk about is research assistance. I'll come to that later. The committee recommended that opposition critics travel with ministers. That may have been idealistic; it was not accepted. However, I understand that there may be a possibility of making some arrangements in the future to at least permit opposition members more freedom to travel than they have at present. Outside Ontario, opposition members have to do that kind of travel on their own pocketbook even if they're making study tours in order to look into areas of expertise.

We recommended that committee hearings be held back when a critic was unable to attend as now they're held back when a minister is unable to attend. I think there was general agreement that the courtesy should apply to critics as well as to ministers, and that both ministers and critics should give the estimates very high priority. In other words, when estimates are being held, no member who is involved should be able to plead some excuse in order to be absent.

We recommended a full day for non-confidence motions; we're going to experiment with a half day and the government wasn't prepared to accept the committee's recommendation on that particular point.

The recommendation that ministerial statements be followed by a reply from the oppo-

sition, as is the case in Ottawa, was not accepted by the government. I'm sorry it was not accepted. We will have to see whether the lengthening of the question period will permit effective rebuttal by the opposition at the time when the public and the media are watching ministerial statements. May I say, particularly after today's experience, that I'm rather sorry we didn't put in a limit of maybe four or five minutes on ministerial statements to prevent the lengthy use of House time which we see from time to time, particularly at the beginning and end of sessions.

Our recommendation for a proposed procedure for private members' bills, which included the vote on all private members' bills, was rejected by the government. However, I think the rejection was done in a very positive spirit, and although I class this as one of the four or five noes, I think that what we have now is going to be extraordinarily interesting and quite positive. I can foresee the day in six months' time—

Mr. Deans: Innovative.

Mr. Cassidy: Innovative. Certainly if you compare it with the procedure in Ottawa where one member could talk a bill out, or in Westminster, where I understand that one anonymous member by saying "nay" can vote a bill down, the Ontario House is probably moving to the forefront of any parliamentary Legislature in the degree of importance it's giving to private members' bills.

Hon. Mr. Welch: Maybe the others will follow the model.

Mr. Cassidy: Maybe. But the fact that you will have to get 42 members by petition to prevent a vote on a bill, or that 20 members will have to rush into the House at five to six on a private members' day in order to prevent a vote, could lead to some dramatic races at five to six on Thursday afternoons. It certainly will ensure that if the government or some other party—

Mr. Shore: Or to a public accounts meeting.

Mr. Cassidy: —that's right—wishes to avoid a vote on a private member's bill they will clearly be seen as taking that responsibility. I think that's very healthy.

I have to say that I think everybody in the House is wrong in rejecting Wednesday sittings. However, I also have to admit that that is perhaps a minority view. The government decision to veto that recommendation of the committee, which the member for Sud-

bury East was also very strongly in favour of, is unfortunate but one of the facts of political life. There's certainly no question that there were divisions within caucuses and not just between caucuses as to whether or not it would be desirable for the House to sit on Wednesdays. I think the point's been made by some out-of-town members that the load has increased so much just in the last two or three years that that Wednesday free to do desk work has become more of an advantage than of a disadvantage, as it used to be in the past when we sat on our thumbs while the government cabinet ministers met.

I mentioned my concern about the fact that these recommendations are only for one session. I hope they will be made more permanent.

I want to turn to the question of research assistance. The government does not really support this recommendation at this time. Following on from what the member for Ottawa West had to say, I just recall that the purpose of the Camp commission recommendations and of our select committees was to enhance the role of the back-bencher. Our report said:

"Given the size and the complexity of the Ontario government today, which will only increase in future, it is irresponsible not to ensure that legislation and expenditures receive the careful scrutiny that was originally expected of members. Unfortunately, to date the expansion of government has not been accompanied by a strengthening of the legislative process to provide that scrutiny."

Many of the recommendations, such as the power to refer matters out to standing committee, the extension of the question period and other things that have embodied in the recommendations accepted by the government will strengthen the role of the private members and of the back-benchers. However, it's still going to be difficult for the MPPs to do the job that's expected of them. In the chapter on research assistance on page 33 of our report we said again: "The primary concern of the reports of the commission and this committee is to enhance the role of the private members. At present, with the research assistance provided, it is impossible for members to effectively scrutinize government expenditures in legislation, defended by a minister with the assistance of his entire ministry. Also, it is becoming ever more important, and correspondingly more difficult, for members to develop expertise in their areas of responsibility or particular interest."

Consider the situation of the opposition because it's the opposition, I maintain, who

particularly needs this research assistance. We're up against a minister who normally has an executive assistant, a special assistant, the services of a speech writer, perhaps a couple of secretaries and the resources of his department, which can in many cases mean hundreds of high-level policy and research-type people. If you consider the size of the government, whose budget is \$12 billion and rising very fast, despite all of the Treasurer's efforts, there are areas within individual ministries which, by themselves, could justify the work of an entire research department or at least of a full-time researcher.

For example, I have an interest in mental retardation, a small part of the work of the Ministry of Community and Social Services. Yet that's a programme with a number of large institutions across the province, it's a programme that desperately requires public scrutiny, it's a programme that involves more than \$100 million in public funds. It gets almost no attention in this House.

When the Ombudsman's office was established, they took unto themselves the task of looking at the jails that are run by the province of Ontario. I don't know how many people they put on to that particular job. I think there's no question that they've had a very positive and searching impact on those institutions. That is another example where I think that this House has not been doing its job. I would suggest one of the reasons is the lack of research resources in the hands of the members of this House of all parties.

The oversight and scrutiny of the Legislature is vitally important to the work of democracy in this province, no matter who the critic is, no matter what the responsibility and no matter who is the government. Most of that oversight does come from the opposition but consider what happens with the 50 or 60 hours we have to work a week—that was the estimate of the Hickling-Johnston report.

I tried to break it down just for the record. You spend maybe 15 hours a week in question period, in a committee or in the House on estimates or on legislation; a dozen hours a week in riding work, riding phone calls, party organization and that kind of thing; four or five or six hours on a Saturday or on the weekend and an hour or so a day for the rest of the week—and that's the minimum—and five hours in caucus and caucus committees.

[7:45]

Every party has a caucus. I think the Liberal and NDP caucuses both meet for

three or three and a half hours a week, and there is other work connected with the caucuses. There are also half a dozen hours for each out-of-town member in travel to and from his riding; five hours or so in answering calls at the Legislature, dealing with the press and so on; five hours or so in studying bills, estimates and just trying to read some of the flow of material which comes over our desks; and five hours a week in correspondence, preparation of speeches and preparation of press releases.

Out of 60 hours, that leaves seven hours. I can tell you and the House, Mr. Speaker, that as everybody knows, those seven hours are hypothetical; they normally just aren't there. That's why we have such difficulty in doing our job of legislative oversight. This is why I would maintain that the recommendations for research assistants for members of the House should be adopted at a very early date. To put it into the caucuses, or to put it into the library, would not be as beneficial to the work of the House as putting it in the hands of individual members.

I don't think that now is the time to confront the government on this particular issue. I think our committee will come back with a similar recommendation in its final report and we maybe can isolate the question of research assistants from the rules. The rules are where we're making major reforms now. We'll come to the question of research in another three months, and I hope that maybe the government can take a more positive stand at that time.

I have discussed with the House leader one minor amendment which would permit 20 members of the House to ensure that a committee report was put on the order paper for consideration even if that had not been moved by the chairman of the committee. I think there is agreement on it. I will read it and move it and then we can dispose of it in the normal way.

I would move that clause 6 be amended by adding at the end, "as shall any report for which consideration is requested in a petition of 20 members filed with the clerk."

In closing, after making that motion I would again like to thank the government, the House leader and all parties, I would say, for the very constructive attitude that they have taken towards these proposals of the select committee. I think that the rule changes are positive and will have a very beneficial effect in the House.

Mrs. Campbell: Mr. Speaker, I too would like to express my appreciation to the govern-

ment and indeed to all members who worked, I believe, so effectively to bring forward this package for our consideration. I am sorry that we weren't able to get at it a little sooner, because it leaves it in a somewhat incomplete form as it is here now.

I just want to speak briefly on the matter of the committee structure as proposed in the recommendations. Again, we struck the note of the committees in order to give to the back-benchers the kind of thrust and importance that they ought to have as legislators. You know, sir, that we suggested and proposed committees dealing much as they are now in the social development field and the other policy fields. But we have added some committees which, in my view, can assist the House in obtaining information, for example, in reviewing not just regulations, which I believe has been somewhat of a farce in the past here, but adding to the regulations committee the study of other statutory instruments as is done in Ottawa.

As you may know, Mr. Speaker, the committee in Ottawa does review such matters, in some detail. For example, when I was there we discussed with them what they would be doing about the agreements flowing from the AIB legislation. They were studying those agreements from the point of view of the federal government, obviously. In retrospect, it might have been helpful if we'd had such a committee studying our agreement from our point of view. We believe that this kind of operation will be useful to the House and to the procedures in the House.

You will note, Mr. Speaker, that we have recommended a management and members' services committee which would have an ongoing function, so that again we would not be faced with this rather large review of the whole procedures of the House after a period of years, but rather that we could move to recognize change, as our chairman has said, as it occurs to make us more flexible in our approach.

I do want just briefly to say that some of the members have expressed concern to me about the recommendation that the membership in this House should be increased. You will recall, Mr. Speaker, that the Camp commission recommended quite a substantial increase and this committee did not see the need to go that far. But if you look at the committee structure which we have proposed, you will note that we need to have this kind of membership to ensure that each member will have one committee, so far as it is possible after an election where the changing population may take place.

As I say, I am somewhat sorry that we could not at least have completed the matter of the committee for this report. But you will note in the recommendations, Mr. Speaker, that there is the proposal that a committee be struck, somewhat of the nature of the committee which worked on the negotiations, to bring in the details of the committee structures for the next session.

Since on this side of the House we are dividing our chores, I will not proceed further.

Mr. Eaton: As one of those who joined this committee rather late in the proceedings on this part of the report, I must say that I find the recommendations that have been brought in here tonight in this resolution much more acceptable than a number of things that I signed in the report that we put forth. I know that we had considerable debate at times over how we would wind up with agreement on some of the sections of this and I think we did pretty well in agreeing as much as we did. I do want to comment on one particular item though, that hasn't apparently been covered yet and resolved. It is still to be done. That is in regard to the recording of the committees.

It was indicated that we felt that official Hansard should record all committee proceedings. Several reasons were outlined—among them to prevent repetition in the House of some of the things that went on in committee. I think we know full well that that won't happen; things will still be repeated when we come back to the House.

I expressed some concern about the amount of money that would be spent on recording all committees, because I think the committees are a free exchange—an opportunity for people to throw in their ideas and kick them around, not to see that it is taken down and recorded and all this. But, however, they do point out that there may be times when they do want some reference material.

I have some information on the cost of producing Hansard; it works out to about \$900 an hour. And with the increase in the committees that we are going to see because of the structure of the committees that has been proposed—which I fully agree with—because of that increased time it is going to be a great expense that I don't think we really need to go to. I simply point out that we can record them electronically and keep the recordings for approximately \$20 an hour in comparison to that \$900 an hour that it would take to record, put them in print and publish them. I would suggest that the com-

mittee that's working together goes a little further and gives serious consideration to taking that sort of step in the recording of committees.

I would just like to comment quickly on the private members' hour. I think the changes to our report that were suggested are very valid. The opportunity is given for members to have much more chance of having something that they are proposing come forth and be accepted and have it recognized that it's accepted. So many times suggestions are put forth by members in the way of private bills and then they appear later as government legislation and very little credit is given to the individual who initiates it. I think this gives that opportunity to the private members to have some of the programmes they support brought forward and given credit.

On the whole I fully accept what the House leaders and the members of our committee who did the negotiating have put together here. I conclude by saying only one thing, that many of the proposals that are there will work only if the co-operation of the members is put forth to make them work. Also I think that a little added to that would be the behaviour of the members in the House to see that it functions much better.

Mr. Gaunt: I just want to take a few moments. We have another member who would like to make a few brief comments and, since the time is very limited, I just want to put a few remarks on the record at this time as a member of the committee. First of all, I want to pay tribute to the chairman of our committee. Our committee tended to be a totally unruly group at times.

Mr. B. Newman: It wasn't the chairman's fault.

Mr. Gaunt: He was successful in eventually pulling us back into the line and giving a little focus to the committee again. So I do pay tribute to him. I also want to mention the good work of Cathy Paterson. Cathy was the staff to our committee and did an excellent job as well.

I think this is a major and significant overhaul of the rules of the House. The member for Ottawa West indicated that in his view these changes would make for a more effective operation here. I would certainly subscribe to that. These rule changes reflect the need for improvements and increased efficiency, in the light of the greater volume of government business, the greatly expanding level of expenditure in the province and the flood of constituency problems which beset

all members and which have to be attended to.

In the limited time, I just want to talk about the matters of supply, Management Board orders and special warrants. I certainly consider the matter of supply to be one of utmost importance. We're spending approximately \$12 billion in this province and based on the Provincial Auditor's recent report, there's really no planned programme budgeting. I think, at best, in some instances the government handling of this is rather sloppy.

Mr. Reid: It's done purposely that way.

Mr. Gaunt: The consideration of estimates spending therefore is of vital consideration, in my view.

[8:00]

In the current session of Parliament, we had 17 estimates referred to committee and we allowed 10 hours for each estimate; that meant that there were 170 hours used up in committee out of a total of 225 hours, which meant that we had 55 hours in the House for consideration of estimates of such ministries as Education, Health, Community and Social Services, Treasury, Economics and Intergovernmental Affairs—very major government departments in the province, and yet we only had 55 hours for consideration of those estimates.

The procedure that has been adopted is to set a global figure of 15 hours per estimate so that we arrive at 420 hours for total consideration; and that when the estimates are being considered in committee and in the House, the hours in both places are then deducted from the global figure. I think that's a sensible approach and will provide more time for consideration of estimates.

It seems to me that 15 hours is a reasonable limit. I think there are many estimates that certainly won't take up that amount of time, and the allocation that isn't used on some can be put towards other estimates for their consideration. I think the government is to be congratulated on accepting this proposal, which I feel will assist in the consideration of the estimates and the spending programme of the government.

In so far as the Management Board orders and special warrants are concerned, the Auditor had something to say about that. In the fiscal year 1975-76 there was \$289,905,005 expended via Management Board orders. That's a huge amount. I think the recommendation of the committee is a good one in which the committee recommends that

the Management Board orders which would be utilized as appropriate throughout the year be tabled as a supplement or appendix to Ontario Finances, the Treasurer's quarterly report.

Mr. Reid: They should get legislative approval for them; that's what they should do.

Hon. Mr. Welch: When would we do that?

Mr. Reid: When the session starts again.

Mr. Gaunt: The government has accepted that, and I hope the government will use this procedure in a judicious way and not use it in the fashion which I think it has tended to use it in the past. They have granted amounts ranging all the way from \$15,000 to \$57 million by way of Management Board orders without the consideration of this House. I think it shouldn't be that loose; I think the procedure which has been recommended, and which has been adopted by the government, will tend to focus some attention on that and hopefully will reduce the government's dependency on Management Board orders.

I think the same applies to special warrants. I would hope that the government would see fit to see these avenues as ways of approving expenditures as less desirable and do it through the normal process of consideration of the expenditures.

In summary, I just want to congratulate the government for being so pliable and so flexible in the consideration of these rule changes.

Mr. Reid: It's certainly a new role for them.

Mr. Roy: Minority government helps.

Mr. Gaunt: I want to congratulate the committee. I think its recommendations are a very good step forward and will enhance the operation of the Legislature as well as the role of the private member as a back-bencher in the system; for that, I certainly applaud all of those people who had a role in it. I must say when I see that the government spent a full 13 per cent of its budget in the month of March, which is the last month of the fiscal year, I had the feeling that we all should have a bigger part to play in the spending role of the government—how it spends its money, and when.

Mr. Ruston: I will be very brief.

I want to tie in my remarks with my position as chairman of the regulations committee. As many of the members are aware,

the power of that committee has been very limited in the last number of years. We had a number of meetings, but we found that we didn't have very much power to do anything to really check the regulations.

We then got information from one of the other provinces—I think it was Manitoba—as well as from the House of Commons. The clerks from both those jurisdictions sent us back considerable information as to how they operate. But I see the recommendation that is made here is to have a regulations and statutory instruments committee and the Act broadened to give that committee power to have at least some legal staff at certain times of the year to assist it.

I think this is one way to solve this problem, because we must remember that the number of regulations passed each year is massive. In effect the governing really is done by regulation. It is something that the public should be aware of and that we as legislators should be aware of. So I strongly recommend that that committee be broadened and given more power to look into regulations.

Mr. Reid: I will be very brief; I know we have other matters to get to.

One of the first select committees that I had the pleasure of serving on some seven or eight years ago was the select committee dealing with the rules and procedures of the House. It is interesting that we are here tonight to again deal with updating the rules and procedures of the House. It is also interesting that under present circumstances the government seems a great deal more pliable now than it was seven or eight years ago.

I want to speak specifically about only two matters; one is item 34 in the government notice of motion in regard to Management Board orders. Now my colleague has just spoken concerning this. This has been a recommendation of the public accounts committee, formerly under the chairmanship of my colleague from Kitchener and then with myself as chairman in the last year and a half. That was one of our recommendations—

Mr. Roy: Very capable member. Very capable.

Mr. Reid: —that the Management Board orders and special warrants be brought to this House for approval. Because one of our responsibilities here as legislators is to bring to account the government for the actions and for the money that it has expended, supposedly for the benefit of the public.

The auditor pointed out in his report tabled yesterday or the day before the fantastic amount of money that is being spent under Management Board orders, where the government, and the cabinet particularly, sit around, decide that they are going to either expand a programme, bring in a new one, do whatever they wish, and that money is spent without any recourse to the Legislature and without any possibility of the members of this House being able to question the government as to why the money was spent, whether it was properly spent and, in fact, whether it was to the general benefit of the people of the province of Ontario.

I appreciate and realize the kind of compromises that went into bringing this report into the House and in formulating the rules that were finally arrived at. But I say to you, Mr. Speaker, that I think one of the weaknesses is the fact that still the government, whichever party it is, is not being made to be responsible to the members of this Legislature, accountable to the members and, through the House, to the public for this money that they spent.

We realize in the estimates that we don't always have the opportunity to ensure that the money was properly and efficiently spent. But we have this other murky area: the government, at its own will, without recourse to the Legislature, without any accountability, has the power to spend over \$200 million, I believe, in the last year under Management Board orders, not even considering special warrants. When this situation exists, the government has a responsibility to provide that accountability. They should see it as their responsibility to bring Management Board orders before the House and special warrants for the approval of the House. They bring supplementary estimates in and these are moneys they are spending over and above what was approved by the Legislature. To be consistent they should also bring the Management Board orders and special warrants before the House.

I have one more thing to say. That is, that I have read carefully the Hickling-Johnston report that was asked for, I believe, by the select committee.

Mr. Morrow: That's our next report.

Mr. Reid: All right. But I want to give the chairman notice that I understand it cost the public of the province somewhere around \$11,000. If we paid that kind of money, we are being ripped off to an extent that is unbelievable. Any member here, almost anyone in this building, could sit down

in an office for half an hour and come up with that kind of report. I think that the committee has an obligation, and I'm writing the chairman to this effect, to ask for a breakdown of the time that was spent on that report. I think it's a disgrace and I think that it's time that we looked at those kinds of expenditures by government.

Mr. Deans: I hadn't intended to speak in this debate, but the comments that have been made prompted me to my feet. I wanted, at the outset—

Mr. Mancini: You said that a dozen times already in the last year.

Mr. Deans: That's fine, but I thought we had an understanding we'd finish at 8 o'clock. The comments that I wanted to make are simple and, I hope, to the point. First of all, I want to pay recognition to my colleague from Sudbury East (Mr. Martel) who I know would have been very eager to be here tonight to make his own comment with regard to the report that he laboured over so diligently. In fact, I suspect the very reason that he's not here may have something to do with the amount of sacrifice that he made in trying to reach some conclusions about the affairs of the members of the Legislature. I'm looking forward to his early return.

I want to say that the work we undertook, as the committee that sat down to negotiate the final draft that you have before you, was made simple by the concise and easily understood way that the original committee under Chairman Morrow conducted its work. The report made by the committee studying Camp was so well written and the recommendations so much to the point, as far as the way the Legislature operates, that I think when the House leaders, whips and the party representatives sat down to come up with a satisfactory form in which to place them, the job had been done almost totally on our behalf by that committee.

The rules that we have before us, though, won't work unless we want to make them work. I don't really care what rules you have—if you're not going to work by the rules then the rules won't work. These rules provide us with any number of good opportunities to embark on new ways of doing things in the Ontario Legislature which should bring it into the more modern times. I suspect by virtue of the passage of these rules of procedure that we will be, if not the most modern, certainly one of the most modern Legislatures in the world in terms of the way we deal, not only with government business, but with the business of the private

member. I think the Legislature will be measured in terms of its worth by the way we have written the rules to accommodate the rights of the private member to proceed with the implementation of legislation or proposals that he or she may feel would be worthwhile for the citizenry of the province of Ontario.

[8:15]

I want to thank the House leader for the third party and the government House leader for the tremendous co-operation that I got and that we had in general during the discussions, to thank the staff of the House leader's office and the staff of the Liberal House leader's office for the work that they did on the legislation and to thank my own assistant for the work that she did. I want also to say that if we set our mind to it we can make the Legislature much more relevant and the rules themselves should never come into question as long as we treat each other with respect while we're dealing with the matters before us.

Mr. B. Newman: I don't intend to be long at all, but because item 36 does make mention of the procedural affairs committee, I thought I should make a comment. It always struck me very strange that the procedural affairs committee would be sitting only during the early stages of the Legislature and not accept bills that may come beyond the given deadline. I think the committee's recommendation is right, that as long as the advertising has been met with, the bill should be presented to the procedural affairs committee, so that debate could carry on in the House at an extended period of time, rather than during the early sessions only.

I also would like to make a recommendation or a suggestion to facilitate the finding of the debates in the House for all members as well as for the public. Any time an item, a bill or an estimate debate continues in more than one Hansard, in that second Hansard there should be right at the beginning, "continued from," and the date indicated as to when that item, that bill or that estimate was discussed, so that once we picked up a Hansard, say, No. 45 of a given date, right at the beginning we could see that this item was continued from the debate that was listed in Hansard No. 43 or on a given date. It would facilitate reference for all of us as members as well as for the public.

The other item I've raised time and time again and the committee did not care to in-

clude it as one of its recommendations, that is, that we should get into the 20th century by having electronic voting in the House, rather than the time-consuming method of standing up and bowing to the Speaker and then having a count by the Clerk of the House and his assistants.

Mr. Reid: He uses a computer.

Mr. B. Newman: This would facilitate things. This is done in other Legislatures and I can't see why we couldn't adopt it. The last comment that I wish to make is that, rather than quibble over whether the time is used up for the question period, we could have a four-faced clock indicating the one hour on the Speaker's table. Then when the question period starts, that clock starts, and when the one hour is over with, the alarm goes off and the question period is over.

Mr. Breithaupt: I only wanted to enter this discussion of the rules to thank the persons who have worked particularly hard in preparing the order paper for today and the series of rules that are before the House. As members are aware, there were some 131 separate recommendations made by the committee, chaired by the hon. member for Ottawa West. Discussions over these items have gone on for several weeks. Yesterday morning, starting at 8:30 and going into the afternoon—perhaps around the 3 o'clock mark—there were a number of people who met in order to attempt to resolve the various differences and come up with a set of rules that this House could attempt to use for the upcoming session. In addition to the three House leaders, the three party whips and representatives from each of the caucuses, namely the member for Ottawa West, the member for Ottawa Centre and the member for St. George, there were three particular people who were involved, and who have been involved over the past several weeks, in the preparation of a grid of agreements or lack of agreements that has allowed us to come to the stage at which we are at the moment.

They are, of course, Mr. James MacKenzie, who is the assistant to the government House Leader, Avril Mitchell, the assistant to the House leader for the New Democratic Party, and Mr. David MacDonald, who is my assistant. Particularly realizing that these three were involved, and that indeed Mr. MacKenzie was here until nine or 10 o'clock last night, I think, in the drafting of these various items, we should give credit to them for the work they have done.

Many discussions and reviews of the work of this select committee have taken place, and I hope it's not the lateness of the hour, or the fact that this debate was begun perhaps during what otherwise would have been a supper break, that would lead us in any way to denigrate the importance of the acceptance of a new series of rules in this House which we all wish to be successful. The member for Wentworth has mentioned earlier on that the rules will not work unless we are all of a mind to make them work. He has also mentioned that we go into this whole procedure with the best interests of adopting what we hope will be the most modern set of rules that we are able to develop intelligently.

In a minority House, of course, these rules may work somewhat differently than they would work in the traditional majority situation in which many Legislatures find themselves, but I'm certain, as we go into the next session with the goodwill necessary to attempt to make these rules work, we will be well benefited from the kind of co-operation that has developed them in the first place.

The House leaders, and certainly the whips and the other members who have been involved, will be meeting again in the New Year to attempt to deal with any of the details required to put these into formal rules into a proper, balanced document. We need the support and involvement of the other members of the House, of course, because there are going to be many changes that members may not be familiar with for some time.

I am sure that, with guidance from the Chair and from the Clerk's office, we're going to be successful in developing these rules, and I hope the members will attempt to use them so that the Legislature will indeed be a place that deals not only efficiently and satisfactorily with the public business but also with the private member's business.

Hon. Mr. Welch: Mr. Speaker, in addition to the amendment that has been moved by the member for Ottawa Centre, I would like to propose some amendments here.

Mr. Deputy Speaker: Mr. Welch moves, seconded by Mr. Deans, that clause 20 be amended by inserting in the first line, between the words "that" and "amendments," the words "wherever possible."

Mr. Welch moves, seconded by Mr. Breithaupt, that clause 21 be amended by inserting in the last line, between the words "other" and "committee," the word "standing."

Mr. Welch moves, seconded by Mr. Deans, that clause 26 be struck out and the following substituted therefor:

"26. A minimum of eight sitting days shall be allocated to the debate on the budget motion, four of which shall be consecutive in the week following introduction of the budget; the first of the eight days shall be for the Treasurer's budget statement, the second and third days shall be consecutive and for the opposition critics, and the fourth and fifth days shall be consecutive and for other private members."

Mr. Welch moves, seconded by Mr. Breithaupt, that clause 32 be amended in the first line by deleting the word "briefings" and substituting the words "briefing material."

Mr. Welch moves, seconded by Mr. Deans, that clause 35 be amended in the last line by deleting the words "two and one-half hours" and substituting the words "one sitting."

Mr. Welch moves, seconded by Mr. Breithaupt, that clause 42 be amended by striking out the word "ministries" and inserting in lieu thereof the word "ministers."

Mr. Cassidy moved previously that clause 6 be amended by adding at the end, "as shall any report for which consideration is requested in a petition of 20 members filed with the Clerk."

Motion, as amended, agreed to.

Hon. Mr. Welch: Mr. Speaker, I wonder if I might have unanimous consent to revert to motions?

Agreed.

MOTIONS

Hon. Mr. Welch moved that the following substitutions be made on the standing public accounts committee: Mr. Deans for Mr. Ziemba; Mr. Makarchuk for Mr. Ferrier; Mr. Davidson (Cambridge) for Mr. Mackenzie.

Motion agreed to.

Hon. Mr. Welch moved that the terms of reference of the select committee appointed on July 15, 1976, to review from time to time the reports of the Ombudsman as they become available, be amended to give the committee authority to formulate from time to time, as the committee deems necessary, pursuant to section 16, subsection 1, of The Ombudsman Act, 1975, general rules for the guidance of the Ombudsman in the exercise of his functions under The Ombudsman Act.

Motion agreed to.

ANSWERS TO WRITTEN QUESTIONS

Hon. Mr. Welch tabled the answers to questions 182, 190 and 193 standing on the notice paper. (See Appendix A.)

Mr. Riddell: What about 191?

Hon. Mr. Welch: Well, we're doing well. You must admit we're doing well.

BUDGET DEBATE
(concluded)

Resumption of the adjourned debate on the amendment to the amendment to the motion that this House approves in general the budgetary policy of the government.

Mr. S. Smith: Mr. Speaker, I am very pleased to rise at this time to speak on the last evening of this session. I think you can well appreciate, sir, that this, having been for me the first full session, certainly as leader of the party—

Hon. Mr. Henderson: And the last.

Mr. S. Smith: It's been a very interesting—
Interjections.

Mr. Nixon: Go back to sleep, Lorne.

Mr. Deputy Speaker: To get this debate off on an even keel maybe all members, including the member for Lambton, might be a little more charitable.

Mr. Ruston: He's charitable when he's got the pork barrel out.

Interjections.

Mr. S. Smith: And I wanted, Mr. Speaker—if I can possibly manage to do so—I wanted to thank members of all parties for the assistance that on a personal basis they have from time to time offered me. It is appreciated.

We've had political differences. We shall continue to have and that is the democratic system. But on a personal basis, I want to say that in their own way various members in all parties have made me feel welcome and have been very decent and reasonable in their relationships with me. I just want to say thank you at this time of year and hope that I can make my contribution as a party leader and as an elected representative of the people in a way that, perhaps, allows me to pass on to other new members as time goes by the same kind courtesies that have been extended me.

I want to talk this evening about Ontario's role in this great country of ours. I must tell you, Mr. Speaker, that since the events in Quebec, since the election of an avowed separatist government in the province of Quebec, I have had rather a heavy heart. I'm not a person given to being a crepe hanger or a pessimist. I tend to think that people are basically good people. People, generally speaking, make decisions that are in everyone's best interests. But I am fundamentally very worried and part of this, I know, may go back to my origins in that province, our sister province to the east. Even though a lot of time has passed since then, I'm very worried about the crisis in the unity of our nation which is upon us now.

[8:30]

I must tell you, Mr. Speaker, that I'm not prepared just to go on as though it's business as usual. I'm not prepared to take the point of view that all this is for the best and everything is going on in the best of all possible worlds. I must tell you I feel sick about what's happening and I very much am worried that my country and your country may be torn apart. It's a very real possibility and it's one that makes me very sick at heart. I know people criticize the Toronto Star, for instance, because of the reaction it had with a lot of front-page editorializing and so on. Whether or not the contents of their editorials were 100 per cent accurate or agreeable, at least they sensed that there was a problem.

I must say I think there's a problem. You and I know and all members of this House know that the vote in Quebec was not a vote for separation. We all know that. We know it was a vote for what seems to be an able and charming man, a good leader, over a government that was widely thought among the people to be a very weak government that was out of touch with people. We recognize that government was overturned in a way that is not difficult to understand. But that's not the point. It's not the point that originally when the vote was cast it was not intended as a separatist vote. The real problem is what is going to happen now. In the present situation, I ask members to reflect with me.

The Premier of Quebec, Mr. Levesque, is surrounded by people of varying quality, but quite a number of excellent people and quite a number of very capable people. Every one of them is totally dedicated to breaking up my country and your country. Make no mistake about it. There is no one in that group who is shilly-shallying on that. This is a total

dedication which these people have. They are going to be given the prestige of government and the prestige of office. They are going to have available the opportunity to create confrontations as they may so desire, to utilize the civil service to do studies and so on and release various reports in a manner favourable to separation.

They can time the referendum to suit their own purpose. I ask members to reflect for a moment on what would have happened if the referendum had come during the civil aviation crisis that we have had and which has threatened to rear its head again. This is going to be a fight, Mr. Speaker and members of the Legislature, for the hearts and minds of Quebecers.

There is no point in negotiating with Mr. Levesque. He is a man dedicated to destroying our country. I think his strategy is not hard to discern. He will go among us here in English Canada. He will go among us and will say: "Forget about Quebec, forget the expense and the nuisance of trying to accommodate two official languages in one country." He will say, "It hasn't worked in 15 years. Why keep at it? Why bother," he will say, "with bilingual cereal boxes? Why bother with French television in places where perhaps there are very few if any French-speaking people?" He will say: "Why not give it up? Why not forget about it? You be English, be happy and be proud of it. We'll be French, we'll be happy and proud of it. And we can all be good friends. We can have a customs union," and so on and so forth. That's what he's going to say.

If he gets a good response, if people here agree that we don't need or want French, he'll take that message home to Quebec and he'll say: "You see, they don't really want you. Why don't you recognize that you're never going to be first class in Canada? Why don't you accept that your only hope is to be first class here in Quebec? Grow up, accept your mature obligations and separate into a separate country." That's what he's going to say to people. We know that's his strategy.

Our job as political leaders—and it's a job which every one of us sitting in this Legislature has today—is to go among our people to appeal to that generosity of spirit that marks Ontario. We must appeal to that group of people who have a deep and abiding belief in a united Canada.

No one in this country has a greater belief in Canada than the people of Ontario. Ontarians in fact, generally speaking, are the first to identify themselves as Canadians first

and Ontarians second; in some regions of the country it is not always that way. But every one of us in this room is fundamentally dedicated to Canada as a united country. We have therefore to reject Mr. Levesque and his narrow ethnic nationalism.

Our people must understand why it is that you might have French television in some city that doesn't have many francophones. The reason is that if Franco-Canadians from Quebec or elsewhere move to Regina or Edmonton or Thunder Bay or Windsor or London, they can feel comfortable; they don't have to feel they, their kids and their wives will lose touch with the French language and culture. It will be available.

It takes a certain generosity of spirit to accept that but we have that in Ontario. We, as leaders, must go home to our ridings, we must speak in our churches and our places of recreation and among our friends, in our clubs, at any parties we attend, and we must speak of these matters. We must take the high road. We must tell people what it is that motivates us to be part of a united Canada and why we have to accept things that may otherwise seem like a nuisance or an unnecessary expense.

I have young children, as many members in this House do, and I want to raise my children in a uniquely Canadian environment—in a country that is united from sea to sea. I don't want to have to raise them in a country where the Maritimes are split off like some form of East Pakistan. We have to keep this country together. I want them to appreciate and accept from an early age diversity among humans, differences among humans in cultural and language aspects. I want there to be that tolerance, that human acceptance that is uniquely Canadian in a world which is shrinking, where every year it gets smaller and smaller from a linguistic point of view and a cultural point of view. It is an advantage to have a country with two official languages. It is not a nuisance. We must see it that way and preach it that way.

I sometimes wonder if Divine Providence should look down on this great nation and think: "I've given that small group of people such a huge land with such diversity of landscapes and seasons and wealth and natural resources. Are they to squabble over it like two children squabble over the inheritance, and eventually squander it and ruin it and have nothing left to show for it?" Do we have to follow the example of places like Northern Ireland? Do we have to follow that narrow, ethnic nationalism when we are the most bountiful nation on earth and we have been blessed with peace on our land?

It is absolutely unthinkable that we should have come to this point. We have to show up Mr. Levesque's narrow nationalism for what it is. It is a meanness of spirit. It is not a breadth of spirit. And we have to appeal to our friends and neighbours and fellow Canadians in Quebec. We have to appeal to them to be part of a greater country—not part of a lesser, narrow, tightly bounded little Quebec which is Mr. Levesque's mean and narrow vision.

We sit here in the Parliament of Ontario at a crucial time and we have to have a strategy. I would put it to you, Mr. Speaker, that in the effort we are going to make there is one group that is going to be very vital. Our problem is not going to be solved by redesigning federal-provincial power sharing arrangements. That is going to help maybe but it is not going to solve the problem. This is a gut issue and our strategy has to be a gut issue, because what we're after is to be certain that francophones in Quebec feel as good about themselves, as first-class Canadians, as they would feel as citizens of small, separate country of Quebec. That's the issue.

The issue isn't dollars and cents. It's not provincial or federal control of cable television. Will they feel, deep in their hearts, like first-class citizens of Canada? Will they feel as good that way as they would as being sort of masters in their own little province? That's the question.

We have to recognize, in addition to that, whether they are going to be willing to have a Quebec where other Canadians feel first class in that province. It's very important to recognize it as a two-way street, it's not a one-way matter.

But I can tell you, Mr. Speaker, the people of Quebec are not mean and narrow. I can tell you they are good people. They are willing to make sure that anglophones in Quebec feel first class, but we must do the same in Ontario and make sure that francophones in this province feel first class. What can we do?

There's one group that we need desperately and that's a group of Franco-Ontarians. That group of half a million Franco-Ontarians can raise their voices to their compatriots in Quebec and can say, "Friends, don't let us down." They can say, "Friends, stay and keep this country united. We in Ontario feel very good about being Ontarians. We're accepted as first-class Ontarians."

We have to have those half a million people with us, I would tell the members in every party. The half million Franco-Ontarians must be with us and must raise

their voices to call for the united Canada. But that means action on our part. That means action so they'll have the gut feeling that they're first class here in Ontario, and that's something that we have to do together.

Historically Ontario has had a great role in Confederation; it's the keystone in Confederation. And we've gained the most from it. We have the most to lose if it breaks up—not just if Quebec goes, but after Quebec the members know it will be the west next. Our country will break up and what will Ontario be left with.

We've been the great beneficiaries of Confederation and we have the most to lose. We have to fight to keep it together and, as I say, it's a passionate fight. It's a fight on the emotional level. Our country was created around Ontario and Quebec, around Upper and Lower Canada.

John Robarts knew that—the former Premier of this province knew that. He met regularly with the Premier of Quebec, Mr. Johnson. Mr. Robarts understood Quebec and he understood Canada and he had, as you know, a Confederation of Tomorrow conference, which was a great milestone in Canadian history.

In fact it's interesting, because Mr. Robarts and Mr. Johnson actually led the way in Canada. They delved into new ground and it made it much easier for the Prime Minister at the time, Mr. Pearson, to follow in with certain aspects of language policy. Because in a federal state in which we live it's not an easy matter for the federal government always to lead in these things. Mr. Robarts knew that and by getting together frequently with the Premier of Quebec, in forging into new territory, he made it easier for the whole federation to move onto that higher ground.

I tell you, Mr. Speaker, if you go into Quebec now and you ask the francophone population of Quebec who is their favourite anglophone politician, the answer you get even today, in 1976, is John Robarts. You'll get that answer even today, because they felt he went out of his way to understand Quebec, and to understand the aspirations of Quebec and of the French people in Canada generally.

As I say we now have, somehow or other, to call on the Franco-Ontarians to be part of a general call to Quebec. There are half a million Franco-Ontarians and, if they're quiet—if, during the crisis in Quebec the Franco-Ontarians remain very quiet—then our country may well be doomed, because they will speak volumes with their silence.

[8:45]

A lady called me on an open-line programme when I was in Ottawa. It was right after Mr. Levesque's victory in Quebec. This lady was certainly not separatist. In fact, she was a very dedicated Canadian who had lived in Ontario over 30 years. She didn't like the fact that Mr. Levesque's position is to cast aside those French-speaking Canadians who live outside Quebec. He says to them: "If you want to live in an English country, go ahead and do so. Quebec is the only French country." That's what he says. She didn't like him because of that. Yet she said to me: "Dr. Smith, it's a strange thing but when I watched his victory on television, I felt very proud."

One has to ask oneself, why would this lady feel very proud when logically there's no reason for it? I tell you, Mr. Speaker, it's because she's a member of a minority group, and down in her guts she has felt second class for a long time. She just felt proud that somehow one of her people was able to stand up and say: "We are first class," and somehow was able to achieve a victory which led to a passion that she didn't even know was in her. As a member of a minority group, I can tell you that happens—and it only happens when you feel that at some point during your life you haven't been treated as a first-class citizen.

Mr. Speaker, I would tell you that we in this province have an obligation to the Franco-Ontarians: We must find, as I say, that generosity of spirit to make them first class. This is perhaps not a time to be critical on a personal level, but I want to say that I am disappointed that it took time for the Premier of this province, unlike his predecessor—very much unlike him—I am disappointed that, two days after Mr. Levesque's victory, we heard that the Minister of Education might ask Ottawa for some money and might consider a little more French in the schools. Two days after Mr. Levesque's victory, the Minister of Transportation stood up and said we might have some kind of bilingual application for driving licences or something like that. We shouldn't have to wait for that kind of thing to happen. We should be able to show a little leadership, a little courage—

Mr. Samis: They are afraid.

Mr. S. Smith: The fact is—

Hon. Mr. Snow: The fact is, long before—

Mr. S. Smith: Why didn't the Premier have the same courage that we in the Liberal Party were able to show when we called, long before the election, for mandatory second-language education from grade one? Where was the Premier at that time?

Mr. Evans: One language or two?

Mr. Drea: That's a beautiful—

Mr. S. Smith: Why is it that he didn't provide health services? Why did we need a report, such as was tabled by the Minister of Health, detailing the tragic situation in health services among francophones? Why is it that we haven't had justice services? I was in Kapuskasing when there was a trial where the defendant was a francophone, the two lawyers were francophones and the judge was a francophone, but the whole proceeding had to be in English. Why should that be that way in Kapuskasing, which is well over 60 or 70 per cent French-speaking? How is it going to sound when the Premier of this province goes to Quebec, as he should do, and he pleads with the people of Quebec: "Stay with us. Keep us united, brethren"—

Interjection.

Mr. S. Smith: —and a voice calls out from the back of the hall, saying: "Why is it that the people in Kapuskasing can't even have a trial in their own language?"

Hon. B. Stephenson: Ah, hogwash.

Mr. Smith: That is the great tragedy. That's the difference between Mr. Robarts and the Premier of the province at the moment.

Mr. Drea: Stuart, you are re-electing yourself.

Mr. Moffatt: Yes, as much as Frank might not like it.

Mr. S. Smith: There was an article in the paper recently in which it said: "Queen's Park is stealthy with regard to language policy." I quote from the communications director in the Premier's office: "Whenever newspapers publish articles about francophone rights, the rednecks start coming out of the woodwork and the telephone in this office starts ringing off the hook." I don't care if the telephone is ringing off the hook. Isn't it time that the Premier showed leadership? Isn't it time the Premier showed courage and stood up for what's right? The Premier of this province is the keystone of Canada.

Hon. B. Stephenson: That is right.

Interjections.

Mr. S. Smith: And if the man occupying that office is not up to that kind of leadership, then that keystone goes down the drain—and that's what has been happening.

Mr. Moffatt: How can a keystone go down the drain?

Mr. Breithaupt: If it's a big enough drain it can.

Mr. S. Smith: It is not difficult to say what everybody wants to hear. That is easy. Anybody can stand up and tell people what it is they want to hear, by assessing what is the particular issue of the day and where most people stand. It is very simple to do that.

Mr. Hodgson: You know more about Quebec than—

Mr. S. Smith: But real leadership is being able to stand up and mould public opinion, to lead people in the direction where you know they have to go to keep this country healthy and sound and united. That takes courage and real leadership.

In about 1780, John Adams was asked about the American Revolution—

Mr. Yakabuski: Peterson's granny.

Mr. S. Smith: "Tell me," he was asked, "how did that happen? Where was the support for the American Revolution?" He said, "Thirty per cent of the people were in favour, 30 per cent of the people were opposed and 40 per cent were pretty indifferent to it. That is how we won." I put it to you, Mr. Speaker, that this government has been part of that 40 per cent, and that is the kind of reason that makes me shudder when I think of what might happen as Mr. Levesque arranges his attack and his strategy in the way I have outlined.

Interjections.

Mr. S. Smith: I went to Quebec in September. I was there before the election was called. I spoke in both languages at that time in Quebec.

Mr. Hodgson: And you are still doing it.

Hon. B. Stephenson: Sure, it is only out of both sides of your mouth.

Mr. Hodgson: What is your third language?

Mr. S. Smith: I said to them that we ought to have a Confederation of Tomorrow conference on linguistic policy. I called for that in July. I called for it before it was fashionable. At that point I think we should have

had the ability to rise to that occasion and have a sort of conference on linguistic policy.

I said in Quebec that we in Ontario would have to have our linguistic policy looked at. I also said, "You will have to have your Bill 22 put on the table too, my friends." I was criticized for that. I was criticized by some of the francophone reporters who thought I was against the preservation of the French language. I said to them—I said this on television—"It is unacceptable to me that there should be Italian Canadians and Greek Canadians who are being treated differently from other Canadians. There can only be one class. It can only be first class. There cannot be more than one class of Canadian."

Why was it that we didn't have that kind of initiative taken by the Premier of this province months and months ago, when it would have done some good. There is no point in negotiating with Mr. Levesque now. His only object is to break up this country.

Mr. Moffatt: He's just breaking up the Liberal Party; that's all.

Mr. S. Smith: We need a Premier who can go into Quebec, who can say how deeply committed we are to Canada and how much we really want to make this country work. But his own house must be in order. There is no point in going into Quebec to talk to the people who are going to decide the fate of this great country in another year or so, unless our own house is in order. There is still time—and I plead with the Premier, wherever he is tonight—

Hon. Mr. Bennett: He will be here.

Mr. Eaton: He is not playing tennis, anyway.

Some hon members: Oh, oh.

Mr. Warner: Is your panty-hose too tight? Is that your problem?

Mr. Speaker: Order, please.

Mr. S. Smith: I plead with the Premier to make absolutely certain that our own house is in order.

We know that the federal government has certainly had a number of problems. I think I and many others have criticized the civil service programme of the federal government. I think their attempt to implement bilingualism has been expensive, sometimes wasteful and frequently unfair. But that is not an excuse for doing nothing in Ontario. That is not an excuse for sitting back and just criticizing in the way the Premier did the other day.

Hon. Mr. Bennett: Great guy. Great guy.

Mr. S. Smith: I want to say too that I think it would be a very serious error for us to say, as the Prime Minister is alleged to have said, that there has to be a national referendum to decide the future of this country. I think it is very important for us to recognize that when we say there has to be a national referendum to do this, we basically are saying to Quebec that they can't have self-determination.

Mr. Yakabuski: You have never forgiven Trudeau, have you?

Mr. Roy: Paul, listen a bit. You might learn something.

Mr. S. Smith: By saying that, we are telling them they are not permitted to have self-determination. And that is a great mistake. We are going to have to give Quebec self-determination; there's no point in arguing for a national referendum except, perhaps, as an indication of opinion. The real decision is going to be made in Quebec and all of us here, as leaders of the people, have to have the courage to go to our citizens and save this country. There must be a united voice from Ontario calling out to Quebec to vote to stay in this country.

I want to say as well, if I might, there are people now like Mr. Parizeau, people like Mr. Moran and, of course, Mr. Levesque himself, who are going about this country and are going about their own province of Quebec and saying, "don't worry if we have separation. It's perfectly all right. We can always have a customs union. We can have tariff barriers removed. We can always have free trade. Money will flow easily.

He's saying that. He's saying to them, "You can have your cake and eat it too." He's saying to them, "There'll be no problem. The English will be just as happy to be rid of you and commerce will continue. The almighty dollar will rule and everything will be just dandy." That's what he's saying in Quebec today, this man who's trying to destroy our country.

We have to stand up and say in no way are we going to accept his point of view that everything can be just as it was before, even after a vote of separation. No way is that going to be the case. We have fought to create an economy in a very difficult circumstance, in a country which is stretched with a thin line of population from sea to sea. We have fought for years, for over 100 years, to make an economy viable in this country. There's no way that we're going to

stand back and just let them break up this country because of their narrow, petty, ethnic nationalism.

Interjections.

Mr. Speaker: Order, please.

Mr. S. Smith: I can tell that the members opposite are actually listening carefully to my comments, and I am very glad to see that.

Mr. Roy: It's a bit above the member for Scarborough Centre.

Mr. S. Smith: I feel that if this particular crisis is to be overcome in a way that keeps us together as Canadians; if this crisis is to be overcome in a way that keeps this country together so that we can raise our children as real Canadians and not simply as members of a broken up, shattered dream; if we can have that generosity of spirit and appeal to that generosity of spirit which marks the people of Ontario, then we can transcend this crisis; we can give equality to our Franco-Ontarians.

We can go into Quebec and fight for the hearts and minds of Quebecers, just as we fight for the hearts and minds of the rest of the people of this country. We can reject Mr. Levesque and his blandishments. Unless we get some leadership from the Premier; unless we get a Premier who's more like Mr. Robarts, then I really wonder whether Ontario will simply forfeit the key and vital role which it ought to be playing in Confederation.

I will draw my remarks to a close. I can picture, at the end of a long and difficult session when from time to time we have stressed political differences; from time to time have stressed fundamental issues which have come up—matters ranging from provincial parks to Greyhound and things of this kind—that perhaps the House is not prepared this evening to consider seriously what is really the only issue, the only real issue, that's going to occupy this country for the next year. That is the future and survival of this nation, this experiment in nationhood which is still going on.

I ask you, Mr. Speaker, and I ask members of this House to accept the remarks I have made; to think upon them; to formulate their own opinions about these matters. If they agree with me that this country is worth fighting for, let them go home to their constituents and show leadership and fight for the survival of this country, for the equality of all Canadians, for the equality of

the languages and cultural groups in our country and the survival of the Canadian dream.

[9:00]

Mr. Renwick: Mr. Speaker, I rise to participate on behalf of our party and the official opposition in closing this debate—

Interjections.

Mr. Speaker: Order, please. The hon. member for Riverdale only has the floor.

Interjections.

Mr. Speaker: Order. The hon. member for Renfrew North—South, that is—will please come to order.

Mr. Conway: On a point of personal privilege.

Mr. Speaker: Order, please. We've had a very orderly debate tonight and let's continue that way.

Mr. Sargent: Where is the Premier?

Mr. Speaker: Order, please. The hon. member for Riverdale.

Mr. Renwick: —and in bringing to a close this session of Parliament. I will be asking, of course, in the course of the debate for the support of all the members of the House, but particularly the support of the members of the Liberal Party, for the amendment which was moved by my colleague, the member for Beaches-Woodbine, what appears to be many weeks ago, and the further amendment to that amendment placed by the leader of this party in the latter part of this debate at the end of November.

I will not repeat those amendments during the course of my remarks but they are available in print; they will be read to us and I solicit the support of the Liberal Party for those amendments. Indeed, I solicit the support of those independent members of the Conservative Party—

Mr. Roy: Where are those?

Mr. Renwick: —who may choose to support us.

Mr. Conway: We are not that desperate.

Mr. Renwick: Mr. Speaker, let me first of all assure you and assure the House that I do not intend to speak for very long this evening—I would think for half an hour or thereabouts—and as usual I don't intend to repeat myself.

Mr. Breithaupt: But you will.

Mr. Renwick: May I express to you, Mr. Speaker, and to your colleague and our colleague, the Deputy Speaker and chairman of the whole House, the member for Lake Nipigon, and to the member for Simcoe East, the deputy chairman of the committee of the whole House, the appreciation we have for the way in which you and they have conducted the business of the assembly under some difficult occasions. I know, Mr. Speaker, that you would want me to wish the member for Simcoe East a full, speedy and quick recovery and return to this House. We who have worked with him admire always the calm charm which the member for Simcoe East brings to the deliberations of this House and to the work in the committee with which I have been associated for some considerable period of time.

I also know, Mr. Speaker, that you will allow me a special word about our colleague, the member for Lake Nipigon.

Mr. Hodgson: How about the one for High Park?

Mr. Renwick: Our colleague, the member from Nipigon, has a voice in this House and one of these days he may again have a vote. I hope so. The non-voting member for Lake Nipigon is close to us; we esteem him and regard him highly. For us, it was a signal honour that he was given the opportunity, as a member of this caucus, to participate as Deputy Speaker of the House and chairman of the committee of the whole House. We are all proud of him and although on occasions he exasperates us as I know he does other members, on other occasions we expect and anticipate that he has found that particular niche in parliamentary life which eminently suits him.

Before I forget, I would like to wish all of the members of the House a merry Christmas and a happy new year. I may forget to do that during the course of my remarks. I also want to make a confession to the House—

Mr. Moffatt: What did you do?

Mr. Ruston: No, Jim, no.

Mr. Renwick: I want to make a confession to the House. I am a noted plagiarizer, so anything I have plagiarized in my remarks tonight and cannot attribute, and even those that I could attribute and don't attribute, I apologize to all of them and thank them for allowing me to use their material in whatever way I wish to use it.

I also thank two eminent research and statistical bodies, Statistics Canada and my research colleagues in the New Democratic Party caucus. With some aspersions these days cast upon Statistics Canada, I'm glad we have our research group on whom we can rely totally and implicitly. Much of what I have to say tonight on difficult and somewhat arcane matters is the result of the work they have done for us and I may say that any confusion that there may be in my delivery is certainly not attributed to the lucidity of the research work which they do for us over many, many months and under very difficult occasions.

I want to talk just a little bit about the politics of Ontario at the present time so that the Tories know that we know what they're about in an election time. We happen to believe, and have a very simple view of politics, we happen to think that the election will be called—

Mr. Moffatt: Not simplistic. You have the simplistic view.

Mr. Breithaupt: Everything is a plot.

Mr. Renwick: Just so they will understand that we know, the election will be called when the Premier of Ontario decides to walk down the hall and ask for the dissolution. It will not be called except if they so engineer it, by the combined vote of the party to the left and ourselves.

Mr. Conway: Which is it, Jim? Come on.

Mr. Breithaupt: It won't be your decision, that is clear.

Mr. Renwick: We will consistently be voting against their policies on all major matters and at some point in time my colleagues in the Liberal Party will stand and vote with us, but that will have been engineered by the Premier of the province—

Mr. Breithaupt: So it could be our decision too.

Mr. Renwick: —and he will call the election when he wants to call it.

Mr. Breithaupt: There are two people who will call it and neither one of them is your leader.

Mr. Renwick: So that is what it will be about. Let me tell the House a little bit about the shape of the next Tory campaign. They're going back to 1971 and to 1967 and to 1963. What they really want is what they like to have, a no-issue campaign. I've noticed, apart

from the inevitable hazard of the political accident that they are so prone to these days, apart from that I noticed that they have moved deliberately and continuously—

Mr. Nixon: You had a doozer today.

Mr. Renwick: —to defuse every issue. I know very well that, come the end of a long hot summer rather than the spring, the Premier will decide well there aren't any issues now and people are quite relaxed and we'll just have one of our elections. He will be wrong, because he will not come back with a majority and indeed the Tories will be lucky if they are a minority government after the next election.

I had occasion to look at the remarks made on April 13 by my colleague—

Interjections.

Mr. Speaker: Order, please. Fewer interjections would be better.

Mr. Renwick: —by my colleague, the member for Beaches-Woodbine, in her response on our behalf to the budget. I had occasion to look at the remarks of the then critic for the Liberal Party of the budget, the member for London North.

Mr. Reid: You will get him next.

Mr. Renwick: I just want members to know that I have them here.

Interjections.

Mr. Cunningham: Twenty pieces of silver.

Mr. Renwick: If the member for London North would like me to sign this and send it to him, I would be glad to do so.

Mr. Breithaupt: He not only read them, he wrote them.

Mr. Angus: You have got an excellent research department.

Mr. Breithaupt: He's playing out his option.

Mr. Sargent: You all come back, Marvin. You all come back.

Mr. Reid: You want to trade Jack Stokes for Marvin Shore?

Mr. Ruston: The member for Lake Nipigon is going over.

Mr. Renwick: Perhaps I should say to the Attorney General that there's a case cluttering up the list of the Supreme Court. It's an old Dickensian case. It's Sargent versus Singer.

Mr. Nixon: That's not as old as your statement that Lewis would never lead the NDP to victory.

Mr. Renwick: I just want you to know that we have—

Mr. Nixon: Are you preaching for another call, Jim?

Mr. Renwick: —relatively long memories, so that if there's anything that I or my colleague from Lakeshore could do to settle that dispute we would be happy to assist.

Mr. Breithaupt: It's all settled.

Mr. Renwick: It's still on the list, near the bottom—my friend, the member for Wilson Heights, tells me—near the bottom of the list.

Mr. Conway: If you are wise, Jim, you will keep personalities out of this.

Mr. Speaker: Order.

Mr. Renwick: But I'm glad that the Treasurer has come, because I am—

Interjections.

Mr. Renwick: —indebted to my non-voting colleague from Lake Nipigon for bringing to my attention the regard which I have for the Treasurer of the province, being similar as it is to the regard that Benjamin Disraeli had for Mr. Gladstone.

Mr. Bullbrook: Which one are you?

Hon. Mr. Davis: You knew them both well.

Mr. Renwick: When Mr. Disraeli was asked if he could distinguish between a misfortune and a calamity, he said that if Mr. Gladstone fell into the Thames it would be a misfortune and if anybody pulled him out it would be a calamity.

Mr. Nixon: At least you attributed that one.

Mr. Renwick: To the member for Lake Nipigon, yes.

Mr. Drea: The analogy fits: Singer versus Sargent.

An hon. member: No, that's two calamities.

Mr. Nixon: You are next, Frank.

Mr. Conway: You are both a calamity and a disaster.

Mr. S. Smith: Mention the Supreme Court and Frank is right on the bit.

Mr. Renwick: Mr. Speaker, I have a number of matters. That was just by way of preamble.

Interjections.

Mr. Renwick: I was going to go to the peroration now, but I think I have two or three things that I'd like to say in the interval.

Mr. Nixon: Your perorations are the best.

Mr. Renwick: I always like to choose a text. For my colleague, the member for Armourdale (Mr. Givens), this is from McGibbon, not from Gibbon, and it's on page four of the Speech from the Throne. It states: "Employment security is the only real income security a free society can afford for the vast majority of its citizens."

I'd like to just talk a little bit about the inability of this government to understand the extent and degree of the unemployment problem which faces the people of the province of Ontario and which this government is unable to deal with. I have the figures for the population, labour force, employment, unemployment, unemployment rate and the participation rate of the labour force of the province of Ontario since 1970 up to and including October 1976.

Interjections.

Mr. Renwick: Mr. Speaker, on the question of unemployment, let me draw to the attention of the House that in the five years since 1970 until the present time, the participation of women in the labour force has gone from just over 40 per cent to just under 50 per cent. I think it is probably a statistic which is often lost sight of. The participation of the men members of the labour force has remained relatively constant at 80 per cent.

The significant part about the unemployment rates, of course, is the very significant deterioration which has taken place in them since 1970 and each year thereafter. In 1974—and I'm not going to recite too many of these figures—in 1974, the unemployment rate in the province of Ontario was 4.4 per cent, made up of an unemployment rate for men of 3.7 per cent and for women of 5.7 per cent, averaging out at 4.4 per cent. In 1975, that rate had deteriorated to the point where the unemployment rate overall in Ontario was 6.3 per cent and the unemployment rate for men was 5.4 per cent and for women was 7.8 per cent. That has continued to the present time when we have in Ontario an unemployment rate now of 6.3 per cent.

[9:15]

I want to say to the Treasurer specifically that he has found himself in a situation of his own making which destroys any possibility that this government can deal with that question of high unemployment. The reason he's in that position is the deficits of this government. Let me go back and state for him what he knows our position is. We believe in an economy of economic growth, an economy of price stability, an economy of full employment and an economy of fair shares. In 1975, in his budget the Treasurer of Ontario posited the concept of a full employment budget and he gave certain statistics that would support that. The peculiar and strange thing about the deficit of the Davis government under the treasurership of the member for Chatham-Kent is that the deficits piled up year over year in the last five years by this government mean that it is impossible to project a budgetary surplus on a full employment economy.

Hon. Mr. McKeough: Nonsense.

Mr. Renwick: It is just not possible to do that because of the dramatic deterioration in the debt position of the province.

Hon. Mr. McKeough: Nonsense.

Mr. Renwick: I can deal with questions of manpower and employment and the facts and statistics which relate to them, but I want to use for my purposes a major piece of work which was done at my request in connection with the projections of the Smith committee on taxation. It was by coincidence that their projections carried through a 10-year period ending in 1975. I want to point out to the assembly the destruction that has been wrought on the economy of this province by this government in its deficit financing.

Mr. Yakabuski: What about Barrett in BC?

Mr. Renwick: I recognize there have been significant accounting changes in the way in which the government presents its financial information since the days of the Smith report. I recognize there has been the implementation of a number of the Smith committee's taxation recommendations. Having said all that and recognized all that, let me just refresh the mind of the Treasurer and other members of the House about what the Smith committee had to say, on the question of debt financing and borrowing by the province.

The Smith committee makes the following statements: "Our projections lead us to the clear and inescapable conclusion that in the absence of remedial measures the present unsatisfactory revenue and spending positions of the provincial and local governments of Ontario will deteriorate sharply and continuously within the coming decade. The concrete problem that emerges is that of determining the most appropriate means of financing a combined provincial-local, expenditure-revenue gap. The province will need to consider to what extent it may wish to modify the projected level of its public expenditures and to what degree it will rely on taxation and borrowing to meet its financial requirements."

They then go on to address themselves to the question of the growing debt of the province. They say: "It is, nevertheless, appropriate in view of the prospective continuing growth of the Ontario economy that the province undertake a substantial expansion of debt as one means of financing the continuously rising levels of government expenditure forecast during the next decade."

The Smith committee recommended that the ratio of debt to provincial domestic product be cut to nine per cent, but with respect to the province they made the following recommendation:

"A policy that simply stabilizes the provincial debt ratio at its present level of nine per cent represents no more than the minimum reliance that we think should be placed on borrowing in meeting the rising levels of provincial expenditure within the expanding provincial economy. We therefore recommend that, as a partial solution to its projected annual expenditure revenue gaps, the province permit a modest expansion of its net debt at a rate at least equal to the growth in provincial domestic product."

Let me just indicate what has happened in relation to those projections in the historic circumstances of this government. The figures show very clearly that for the period from 1964 to 1975 the average annual rate of growth in net debt predicted by the Smith committee was 15.54 per cent, while the actual average annual rate of growth was 12.18 per cent. These figures are obviously not very interesting.

Mr. Nixon: Right, right.

Mr. Renwick: They become a lot more interesting when we break the 1964-1975 period up into two periods—1964 to 1969, with an actual average annual growth in net debt of 0.98 per cent, and 1970 to 1975,

with an actual average annual growth in net debt of 25.23 per cent.

Let me also clearly indicate that I recognize the government no longer reports the provincial domestic product but has gone to the gross provincial product as the margin. I am not going to labour the distinction between those two particular measurements, but I do want to say that a chart which the Treasurer showed to this House in his 1975 budget, chart C5 on page C20—and I specify it particularly—was a fraudulent statement.

Hon. Mr. McKeough: What year was that?

Mr. Renwick: It was 1975. It was a fraudulent statement. The ratio used in that chart was not the ratio referred to by the Smith committee. If we assume the provincial domestic product has grown at the same rate as the gross provincial product—

Mr. Nixon: What did we do to deserve this?

Mr. Renwick: —and we use those projected provincial domestic product figures in the ratio, we find that in 1975-76 we are very close to the nine per cent debt ratio that the Smith committee talked about. In fact, it was 8.7 per cent, but there were budget estimates at that time. I think the calculations will show that, in fact, we are over the nine per cent limit which was projected by the Smith committee.

Hon. Mr. McKeough: No.

Mr. Renwick: I ask the Treasurer to check this out, because I have used a fairly strong term about that chart and the misleading nature of the position placed before the province in that budget with respect to the Smith committee test.

Let me just go on; the nine per cent business is perhaps rather picky, especially since it was only a minimum suggestion. What does show clearly, though, is not that the main Smith committee recommendation for a responsible debt policy has not been followed, but that the net debt has grown between 1964 and 1975 at an average annual rate of 12.18 per cent, while gross provincial product has grown at an average annual rate of 11.15 per cent. That is, net debt has expanded faster than the economy.

Of course, this difference in rates of growth is even more dramatic when we look at the 1970-75 period. During this period, gross provincial product was growing at an average annual rate of 12.1 per cent while the net debt was growing at an average annual rate of 25.23 per cent. In fact during

the period from 1964 to 1969, net debt was growing very slowly, much slower than gross provincial product. The Davis regime therefore completely ignored the debt policy recommended by the Smith committee and subsequently finds itself faced with an expenditure revenue gap which is out of control and which calls for Draconian cutbacks.

I'm not going to talk about the cutbacks. I notice the Treasurer on radio the other morning quickly corrected himself and said—

Hon. Mr. McKeough: This morning.

Mr. Renwick: —it was a decrease in the rate of growth and not a cutback. In any event the cutbacks occurred not because of concern about inflation; not in any sense because of government concern about inflation. The pressure on it has been because of its deficits and it cannot translate it into any other rational explanation.

Hon. Mr. McKeough: Nonsense.

Mr. Renwick: The net effect—

Ms. Bryden: Out of control.

Hon. Mr. McKeough: You should really stick with family law.

An hon. member: So should you.

Mr. Renwick: I'm good at that, too.

An hon. member: The member for London North was right.

Mr. Speaker: The hon. member for Riverdale. Order.

Hon. Mr. Bennett: He is right now; on the right side.

Mr. Kerrio: Two more votes if he comes back.

Mr. Renwick: The budget does contain a dramatic turn around in the size of the deficit. It drops from \$1.889 million to \$1.230 million but that turn around has nothing to do with the social service cutbacks or health cutbacks. It comes very easily to the government—\$442.5 million rolls in as last year's election tax concessions expire. Sales tax cut \$330 million; home buyers grants \$67.5 net change.

Mr. Makarchuk: And \$11 million wasted.

Mr. Renwick: Elimination of sales tax on cars, \$45 million. Another \$228 million from raising OHIP premiums justified with the

fiction that the employer's share of premiums really comes from the employer and not ultimately from the employee.

Mr. Wildman: Such gobbledegook.

Mr. Renwick: We've had all of this hulla-baloo over lazy welfare cheats, bankrupting the province to the tune of \$20 million, while the Treasurer watches over \$400 million—

Interjections.

Mr. Speaker: Order, please. These interjections do not add to the calibre and quality of this debate.

Mr. Breithaupt: Nothing does.

Mr. Nixon: No way to help it at all.

Mr. Speaker: The hon. member for Riverdale.

Mr. Renwick: Mr. Speaker, they don't bother me. I'm always speaking to posterity.

Mr. Cassidy: And posterity will listen.

Interjections.

Mr. Renwick: The Treasurer watches over \$400 million roll in simply because we can't afford two election-year budgets in a row. The pattern of deficits in Ontario reflects perfectly the timing of elections. Year 1969-70; 1970-71; 1971-72; 1973-74; 1974-75; 1975-76.

Hon. Mr. McKeough: It is called the—

Mr. Renwick: Deficit in 1969-70, \$438 million, no election. Deficit 1970-71, \$556 million, no election; 1971-72, election year, \$1.018 billion.

Mr. Nixon: That was the Premier's first year in office.

Mr. Renwick: In 1972-73, no election, \$744 million; 1973-74, no election, \$708 million; 1974-75, \$1.03 billion; 1975-76, \$1.976 billion.

Interjections.

Hon. Mr. McKeough: You don't understand counter—

Mr. Speaker: Order.

Hon. Mr. Davis: That's like linear whatever it is.

[9:30]

Mr. Renwick: The percentage increase of 1970-71 over 1969-70 was 29 per cent, and

no election. The percentage increase of 1971-72 over 1970-71, an election year, was 79 per cent.

Hon. Mr. McKeough: You just don't understand.

Mr. Renwick: The 1972-73 percentage decrease was 27 per cent, and no election. The 1973-74 percentage decrease was five per cent.

Interjections.

Mr. Speaker: Order, please, the hon. member for Riverdale only.

Mr. Renwick: The 1974-75 percentage increase was 45 per cent and the 1975-76 percentage increase 92 per cent.

Mr. Deans: Was there an election mentioned?

Mr. Renwick: Yes, there was an election mentioned.

Interjections.

Mr. Renwick: If you double the deficit, you will halve your members. Let me just go on and perhaps state it as another ratio that the Treasurer can mull upon later on this evening.

Mr. Deans: The Treasurer looks embarrassed.

Mr. Renwick: The deficit as a percentage of revenue in 1969-70 was 12 per cent; 1970-71, 11 per cent; 1971-72, 19 per cent; 1972-73, 12 per cent; 1973-74, 10 per cent; 1974-75, 13 per cent and 1975-76, 21 per cent.

Interjections.

Mr. Renwick: The pattern is at least interesting.

Mr. Deans: Do you get a message there somewhere?

Hon. Mr. McKeough: Just wait until you see this spring.

Mr. Cunningham: I can't wait until you thaw out.

An hon. member: Wait until the people of this province pay for it.

Mr. Renwick: The deficit jumps substantially in an election year. The immediate post-election budget is obviously an effort towards consolidating the excesses of the previous year. If we are overborrowed and over-spent, it seems to be a condition exacerbated by election fever. The norm for the period seems

to be for us to borrow about 12 per cent of general revenue. In election years that jumps to 20 per cent.

Perhaps those pertinent figures and ratios illustrate more clearly than anything else could the proposition I put to the Treasurer that this government, despite its posturing about its relationships with the federal government, despite the blame which it puts upon the Canadian dollar exchange rate, despite the blame which it puts on world conditions and despite the blame which it puts on rising oil prices, has not in place a single policy designed to produce the jobs which are required in this province either by way of the labour force increment from year to year, either by way of matching skills to job vacancies or by way of bringing the disadvantaged people of the province into the work force.

I am saying to the government that unless it comes down with manpower and employment policies designed to protect the people of the province it is not going to be able to vary in any major extent the present unemployment rate which is hanging over this province at about 6.3 per cent. It may go up slightly. It may go up to seven or it may come down to 6.1, but it is most unlikely to come anywhere near to below six per cent.

Mr. Shore: You would fix that up, wouldn't you?

Mr. Cunningham: Who is going to fix you up?

Mr. Renwick: Let me just point out what this causes at the present time. The unemployment in Ontario is currently running at around 270,000 people. Job vacancies, and I want the Treasurer to understand this, number only about 19,000 to 20,000. Even were we to fully match existing job vacancies with persons to fill those jobs we would still need to create 250,000-plus jobs. And there is nothing that this province is doing to facilitate the creation of those jobs which are so desperately needed if we are, in fact, to have a full employment economy, an economy of economic growth, an economy of stable prices and an economy in which there are fair shares. I am not going to deal right now about the distribution of income amongst the various quintiles but I am simply going to say that there has been no significant relative change.

Interjection.

Mr. Renwick: Well, the income distribution of the province of Ontario with respect to each of the 20 per cent levels of income

throughout the province. That was a matter not only of Statistics Canada but of the Treasurer's Economic Council reporting to this government about that question.

Interjection.

Mr. Renwick: The shares have never, ever varied.

Hon. Mr. McKeough: Senator Cole has been on that.

Mr. Renwick: Let me say this. In Ontario at the present time, other than the role played by Colleges and Universities in the design of training programmes for Canada Manpower clients—other than that—there are only two provincial programmes directed toward those who are disadvantaged and on social assistance. One is the vocational rehabilitation under the federal Adult Occupational Training Act with 50 per cent federal funding. The province conducts a training and rehabilitation service; \$5,685,200 of provincial moneys were devoted to it in fiscal 1976-77. In fiscal 1975-76 about the same number of dollars. Eleven thousand five hundred persons went through the process and 3,600 went into training; others were assessed, dropped out, were rehabilitated. Community and Social Services also purchased courses from Colleges and Universities where the fees have gone up.

The only other work activity project in the provinces is 50 per cent funded under the Canada Assistance Plan and work activity is designed to provide work acculturation to hard core unemployed. The director expects to have 17 projects this coming year. Last year 561 persons were served. A follow-up of graduates of three months after leaving revealed a surprising rate of rehabilitation; 34.5 per cent were gainfully employed, 11.8 per cent were in training and 11.8 per cent were living independently. The province on this programme spent a grand total of \$578,750, on what was, in relative terms, for the limited clientele which it could serve, at least a reasonable success.

I say to the Minister of Community and Social Services (Mr. Taylor) when the session is over, when the bureaucrats are bargaining for the share of the provincial pie I hope the minister and his bureaucrats will be in there fighting for his ministry in order that we can have a vast improvement in the number of dollars provided for these work-related programmes.

Mr. Conway: He won't be in that ministry long.

Mr. Renwick: I could go on on that topic, but I did want to try very briefly to deal

with the question of the deficits in the province and their relationship to the immense lack of manpower training programmes and to the high level of unemployment in this province and to say to the Treasurer in no possible way can this government deal with the matter.

I have—and I think perhaps I will quote this, Mr. Speaker, very briefly. On Saturday, May 15, 1976, Fred Lazar and Arthur Donner wrote in the—

Hon. Mr. McKeough: The only negative comments.

Mr. Renwick: Yes, the only negative comments. Oh.

Hon. Mr. McKeough: Thousands cheered.

Mr. Deans: The only ones.

Mr. Renwick: Yes, yes.

Hon. Mr. McKeough: Millions cheered. Negative, really—from two run-down academics.

Mr. Bain: The world was at your feet.

Hon. Mr. McKeough: Millions cheered and you picked out two run-down academics. Really.

Mr. Moffatt: That's a run-down Treasurer, that's what it is.

Mr. Speaker: Order. The hon. member for Riverdale.

Hon. Mr. McKeough: This is called New Democratic Party research.

Mr. Speaker: Order, order. The hon. Treasurer will please restrain himself.

Mr. Laughren: Don't worry, some day you'll be queen.

Mr. Speaker: Order. The hon. member for Riverdale.

Interjections.

Mr. Renwick: I quote only in part: "The announced budgetary deficit or surplus provides insufficient information to determine what the impact of the budget will be on the economy. A more appropriate measure is the full employment budgetary position"—

Hon. Mr. McKeough: First adopted by this province.

Mr. Speaker: Order.

Hon. Mr. McKeough: First adopted by this province.

Mr. Conway: Throw him out.

Mr. Renwick:—"Even though the concept of full employment remains ambiguous and thus the calculation of full employment expenditures and revenues becomes, to a considerable extent, an arbitrary exercise, it is one that will still prove to be worthwhile for the information it provides. A full employment budget deficit would suggest that the government is taking an expansionary fiscal stance. A surplus suggests a contractionary stance, and a balanced budget a neutral government position."

Interestingly, in the latest Ontario government budget, there is no presentation of the full employment budget position.

Hon. Mr. McKeough: We cut back on the number of pages, it was a restraint.

Mr. Speaker: Order, please.

Mr. Renwick: In the 1975 budget, the Treasurer, going to great lengths to rationalize the government's record budget deficit—members will remember that was an election year—presented a table showing the Ontario budget impact on a full employment basis in order to—

Hon. Mr. McKeough: The member for Beaches-Woodbine is blushing at those references.

Mr. Speaker: Order, please. The hon. member for Riverdale only.

Mr. Renwick:—in order to explain how the Ontario government was undertaking the appropriate fiscal measures for the underlying economic conditions. This year, all we get from the Treasurer is the brief comment: "My conclusion is that the Ontario economy does not require government stimulation at this time."

Whether or not the budget is neutral is difficult to assess in the absence of the full employment budget position. Nevertheless, it is surprising that in 1975 the Treasurer believed that the Ontario economy required stimulation when he expected the Ontario unemployment rate to average 5.4 per cent and the national inflation rate to approach 10 per cent. Yet, in 1976, the same man does not believe stimulation is necessary when the Ontario unemployment rate is expected to remain at its 1975 average of 6.3 per cent.

Whatever happened to last year's stimulative budgetary impact? If a stimulative budget kept the unemployment rate in Ontario from rising by no more than one percentage

point then the Ontario economy may be in serious trouble this year with his neutral budget.

I think that's enough of that lesson in elementary government finance for this evening. I trust that my remarks will be read.

Hon. Mr. McKeough: You really should stick to law.

Mr. Renwick: I was going to deal with productivity. I was going to deal with the profit figures in the supplementary statement of the Treasurer.

Hon. Mr. McKeough: The Attorney General is worried so much about that.

Mr. Speaker: Order, please. Order. The hon. member for Riverdale.

Mr. Renwick: I was going to deal with the balance of payments and the outflow on transfer payments from this province under so-called know-how agreement to foreign parents of subsidiaries in the province. I was going to say to the Ministry of Industry and Tourism that he no longer should talk to us about matching Ontario expertise with foreign capital—

Mr. Conway: He is getting matched himself.

Mr. Renwick: —because we are paying, every year, an increasing amount from the province of Ontario for so-called foreign expertise. It's a burden on this economy, not by way of debt, not by way of dividends, but by way of service charge passing from Canadian companies, subsidiaries of foreign operations, to their foreign capitals.

Hon. Mr. Bennett: Get your facts. Get the financial statements about what the programme is.

Mr. Foulds: The minister is the Mr. America of the Tory cabinet.

Mr. Renwick: In any event, I urge the Minister of Industry and Tourism, in consultation with the Treasurer, to look at the balance of payment figures with respect to the outflow, the net outflow, from Canada paid by Canadian companies to their foreign parent companies or the foreign companies with which they're in partnership. That gap is just like the gap between the government's revenues and its expenditures—

[9:45]

Mr. Drea: That gap is smaller than the union gap, I will tell you.

Mr. Renwick: —it's expanding at a rate which is destroying the Canadian and Ontario economy in the secondary manufacturing field. I ask the minister to look at it. I don't ask him to understand it, but just to look at it.

Mr. Bain: And you don't have to do anything about it.

Mr. Warner: It's too bad you can't sell off—

Mr. Speaker: Order, please.

Mr. Renwick: Mr. Speaker, I promise not to go on too long—

Mr. Eaton: You said that half an hour ago.

Mr. Conway: You broke that promise.

Mr. Renwick: Thomas Jefferson said at one point in time that business had no country. That's my theme for this portion of the wind-up of this budget debate on behalf of this party. Since business is designed to make money, and high unemployment creates labour pools of idle workers who are willing to take lower wages; since inflation doesn't hurt the well-to-do much; and since the inequitable tax system in this country was imposed and continues to be imposed on it by the business community through acquiescent legislatures, it seems unlikely that any Treasurer of a Tory government would attempt to help people if that meant reduced profits.

The Treasurer should be concerned about people's welfare, rather than being constantly preoccupied about the business community. Businessmen over and over destroy their own markets in favour of short-term profits. Businesses will have to be examined by any Treasurer who hopes to stimulate the province's economy and protect the people at the same time. No Treasurer can satisfy the insatiable but he can control them.

If I can state the difference between this party and the Tory party—and, if it any longer matters, the Liberal Party—in budgetary, fiscal and financial matters and policies—

Mr. Reid: So much for NDP research.

Mr. Renwick: —it is that this party is determined to help lift the burdens of unemployment, inflation and unfair taxes from ordinary citizens of Ontario; I am convinced that one cannot serve them and serve the interests of the business community too.

Mr. Conway: Does the member for Lake Nipigon agree?

Mr. Speaker: Order, please.

Mr. Renwick: Let me deal with a couple of the slogans that have come to us from the

United States and which have been adopted by this government: "Profits is not a dirty word," and, what's the other one, "No free lunches"? I happen to know that's not very original. I think it was first said in 1958, but it's currently being used by adherents of the Tory party, as is the "Profits is not a dirty word" slogan.

In any event, both those slogans were part of an organized campaign in the United States, with the usual slop-over into Canada, trying to convince the public that the business community had nothing to do with high unemployment and high inflation; and that the higher the profits, the better everyone was. The Conservative Party—this government—has adopted this slogan in its dying days—that's both the slogan and the government. It was negative, in any event. And if Eddie Goodman thinks he can save the Tory government, my advice to him would be to drop those slogans.

Mr. S. Smith: And work for Greyhound.

Mr. Reid: He has gone to work for Greyhound.

Hon. Mr. Davis: What was that, Stuart?

Mr. Mancini: Why don't you pay attention?

Mr. Renwick: This party, the New Democratic Party, is not a sycophant of business, nor does it damn business out of hand. A New Democratic Party government would demand of business that the business community restore public confidence in itself, but we would not turn Ontario over to it lock, stock and cash register. And that will require the examination of businesses to determine whether they are serving the public interest or whether they are incapable of serving that interest.

Mr. Conway: Does the member for Lake Nipigon agree?

Mr. Renwick: That is what any government must do to have the confidence of the people; that is what this government is not doing, and, need I complete the logic of the syllogism—for the benefit of the government, I must—that is why this government no longer has the confidence of the people of Ontario.

Mr. Conway: Sounds like "tomorrow starts today."

Interjections.

Mr. Renwick: Mr. Speaker, I want to close my remarks by commenting a little bit about

the Confederation. I was interested to note—and I trust the Treasurer will hear this or read it at some point—I was interested to note the comment which he made, which was drawn to my attention by my colleague from Carleton East (Ms. Gigantes), when the Treasurer spoke on November 26, 1976, and he quoted Sir Wilfrid Laurier—

Mr. Conway: Great fellow.

Mr. Renwick: "The French Canadian who appeals to his fellow countrymen to stand by themselves aloof from the rest of the continent, the English Canadian who appeals to his fellow countrymen on grounds affecting them alone, may perhaps win the applause of those whom they may be addressing, but impartial history will pronounce their work as vicious in conception as it is mischievous and wicked in its tendencies."

I can quite see that the Treasurer shares many of the views of the problem facing the Confederation expressed earlier this evening by the leader of the Liberal Party. Let me commend to the Treasurer, indeed to the Premier, indeed to the members of the government, indeed to all members of the House, what John A. Macdonald said in 1865 in the Canadian Assembly—

Mr. Conway: Great fellow.

Mr. Renwick: "I have again and again stated in the House that, if practicable, I thought a legislative union would be preferable, but on looking at the subject in the conference and in discussing the matter as we did, most unreservedly and with a desire to arrive at a satisfactory conclusion, we found that such a system was impracticable.

"In the first place it would not meet the assent of the people of Lower Canada because they felt that in their peculiar position, being a minority with a different language, nationality and religion from the majority, in case of a junction with the other provinces their institutions and their laws might be assailed and their ancestral association, on which they pride themselves, attacked and prejudiced. It was found that any proposition which involved the absorption of the individuality of Lower Canada, if I may use the expression, would not be received with favour by her people."

I commend that quotation for equal consideration with the other quotation the Treasurer used of Sir Wilfrid Laurier. I had occasion to write a letter to the leader of the New Democratic Party on May 13 of this year. It's a "Dear Stephen" letter.

Mr. Conway: Are you taking over again Jim?

Mr. Renwick: I'm not going to quote the whole of it. Parts of it were personal and private in the communication.

Mr. Conway: Oh, the plot thickens.

Mr. Renwick: The occasion for my letter was the publication in the Toronto Sun of a letter from Mike Dare—I speak of him as Mike Dare; he was a lieutenant-colonel but I knew him in the army so I can call him by his first name. I wrote to my leader and I said:

“There are obviously some very interesting developments in what—” and I used last names, not in any sense of disrespect in this letter “—Trudeau is saying, which had a rather bizarre focus with the publication by the Sun of the letter from Mike Dare. Hugh Windsor had what I thought to be an inciteful comment on CBC radio this morning about it as well.

“You will recall no doubt that Trudeau and Bourassa were reported to have had a very tough exchange at a private luncheon not so very long ago. Trudeau seems extremely upset about the corruption evident behind the Bourassa regime, and as you know, there are rumours that Bourassa may call for an election.

“Mike Dare's letter, which indicates that the RCMP were to cease any surveillance of the PQ as a political party, appeared to me, whatever the motive of the person who delivered the letter to the Sun may be, to indicate that Trudeau, who has always been concerned about the Confederation, which indeed appears to be his principal motivation for entering federal politics, must now be saying very clearly that in a way he would welcome Rene Levesque to Ottawa as Premier of Quebec and in a sense underlining his distaste for the Bourassa government as well as admitting the political reality that there's certainly no reason to believe that Rene Levesque will not be Premier of Quebec, just the same as there's no reason to believe that you will not be Premier of Ontario.”

Hon. Mr. Handleman: You like to have a little fun, don't you?

Mr. Breithaupt: You could have avoided reading that remark.

Mr. Conway: That was a change of heart, was it?

Mr. Renwick: My letter goes on: “Somehow or other the constitutional question will be-

come of importance, not the dry as dust aspects of the patriation of the constitution or indeed the dry as dust aspects of the amending formula, but the substantial questions about the distributions of powers, including both their modernization and a re-allocation of the taxing powers. The great constitutional cases of the 1930s about the distribution of powers and the Rowell-Sirois report on Confederation, which was for practical purposes submerged because of the war, nevertheless, provided the key to the domination of Canadian politics by the federal government, which was reinforced during the war and perpetuated by the Liberal Party ever since. The key was that the federal government could raise money by any mode or system of taxation. It is trite to say that he who commands the money effectively dictates policies, regardless of the distribution of powers.

“One of the big attributes that John Robarts had that Davis does not was a close relationship with Daniel Johnson, Premier of Quebec at the time when the whole question of Confederation was so significant during the 1960s. Davis, because of a political affiliation and personally, would not be able and has not been able to establish any worthwhile relationship with Bourassa. You know my views on the importance of Confederation. In the last analysis, and I say this without any disrespect or lack of understanding of the unique problems of both the Maritimes and the western provinces, the substance of Confederation has always depended upon the fundamental reality of Canadian politics, the triangular relationship between the Prime Minister of Canada, the Premier of Quebec and the Premier of Ontario.

“I hope you will find this at least of sufficient interest to have read this far. I think it is important for you to reflect a little about it at your leisure.”

Hon. Mr. Timbrell: He didn't answer it?

Hon. Mr. McKeough: This is what Elmer Sopha described as the big breakthrough in Quebec. Remember that? And they are off on to it again.

Mr. Speaker: The hon. member for Riverdale.

Mr. Nixon: Gee, it is 10 o'clock already. How time flies when you are speaking.

Interjections.

Mr. Renwick: I did want to read, because I thought it said so succinctly the position, as I understand it, of the Premier of Quebec—

Mr. Breithaupt: Quoting from the impeccable and unimpeachable sources.

Mr. Renwick: —a quotation that was reported in the *Globe and Mail* of December 6, It was a CP dispatch from Montreal, in which they were speaking about Mr. Levesque. It said: "Returning to the question of separation, he said Quebec was not going to approach Ottawa with demands for greater powers in return for staying in Confederation." Then there was this quote: "Independence is a positive thing. It's a basic question of national life, not a matter of trading one thing for another. It is a deep conviction for us but we will not force it on people. We will try to sell it in a legitimate way and then try to accomplish our goal democratically."

I'm not one who is able instantly to analyse, understand or state in capsule form the result of the election of the PQ in the province of Quebec. I'm not interested, even if I were able, in classifying that government. All I know is that I felt an immense sense of relief, yielding to a feeling of joy, as the results came in on that mid-November evening. I am thrilled at the defeat of the Liberal Party in Quebec. The victory of the PQ over the Liberal Party in Quebec opens for Canada new possibilities and new hopes.

Hon. Mr. Rhodes: The ghost of Charles de Gaulle.

[10:00]

Mr. Renwick: For one who has worked in the vineyards since the devastating years of the 1950s and the decades before, it has brought a new hope and a renewed faith in Canada. As Canada nears the 21st century I believe we will have a new constitution which will again unite a divided Canada. It will affirm that the rock on which the independence of the north half of the North American continent is dependent is historically, in time and space, the relationship of the French-speaking people and the province they control with the English-speaking people of Ontario and the province they control.

If those relations can be refashioned with grace, understanding and consideration in the last decades of this century, we will enter the 21st century with a constitution which will reflect the reality of those relations and will be a beacon beckoning us to our destiny to establish a civilized society here in that part of the world called Canada.

Hon. Mr. Davis: Mr. Speaker, after that enthusiastic reception from all sides of the

House, it's obvious there's no need really for me to say much to persuade the—

Mr. Cassidy: It was a farewell.

Mr. Conway: Not that you have it to say.

Mr. Speaker: Order; order.

Hon. Mr. Davis: To say too much in order to prevail on all members opposite to support that very enlightened progressively conservative budget of my colleague, the Treasurer.

Interjections.

Hon. Mr. Davis: It's a budget which has done much to stabilize yet at the same time maintain the economic vitality of this province. I'm sure when I'm finished the members opposite will, as one, rise to support the government.

Mr. Conway: —be in a hurry.

Hon. Mr. Davis: I would point out that in the intervening period of time since the Treasurer's budget was first presented that at least one member opposite, who is now not opposite, saw the merit of that budget. The member for London North—

Interjections.

Mr. Breithaupt: Yes, he is.

Hon. Mr. Davis: —who was really the economic and financial critic of the third party in this House—

Mr. Breithaupt: Have you read his speech? He wrote the speech and he gave it and he didn't like it.

Hon. Mr. Davis: —saw just how excellent were the economic policies of the government of this province. As a matter of conscience, he had no alternative but to join the Progressive Conservative Party and the government caucus here in this Legislature.

Mr. Roy: You really don't have much to shout about.

Interjections.

Mr. Speaker: Order.

Mr. Conway: Et tu Brute.

Hon. Mr. Davis: Don't provoke me tonight. I have a very sore throat and I don't want to keep you too long.

Interjections.

Mr. Speaker: Order, please.

Hon. Mr. Davis: I have just a few thoughts—

Interjection.

Mr. Speaker: Order, the hon. member for Renfrew North.

Hon. Mr. Davis: Yes, he is interrupting me, Mr. Speaker, you're quite right. Mind you, his interjections are about as relevant as his prepared addresses, so keep it up.

Mr. Speaker: The hon. Premier.

Mr. Breithaupt: That makes him bang on.

Hon. Mr. Davis: That's right. The member for Kitchener has analysed his colleague well. I understand that. I regret I didn't hear all of the leader of the Liberal Party's address tonight. I understand it was, by and large, constructive and I appreciate that. I would suggest to him, and I say this in the spirit of this time of the year, that his appearance on television and some of his references on television tonight were different and less constructive and I regret that. I've conveyed that impression to him on other occasions.

Interjections.

Hon. Mr. Davis: Do you want me to enumerate what it is you are reported to have said? I would prefer not to.

Mr. S. Smith: Go ahead.

Mr. Speaker: Order, please. Order.

Hon. Mr. Davis: Mr. Speaker, the leader of the Liberal Party raised great concern about, I guess, some pins from my colleague although, I assume, not directly from his own hands. I think he asked a question why some pins were given to—this wasn't on his TV appearance tonight; this was a question of urgent public importance about Ontario pins for some Miss Nude World contest. He was very concerned about where those pins would be placed. I can recall this question being asked by the leader of the Liberal Party.

Hon. Mr. Bennett: He has pierced ears.

Mr. Breithaupt: And where did you stick them?

Hon. Mr. Davis: I would only say this to him, not having had any experience, my guess is, though, it would be easier to find a place to put that pin than it is to find a plank of significance in the Liberal Party in this province.

Mr. Reid: You seemed to think the education plank was pretty good.

Mr. Roy: You are starting to squirm now. Interjections.

Hon. Mr. Davis: Mr. Speaker, I am being provoked.

An hon. member: Who wrote that?

Interjections.

Mr. Kerrio: You need a new writer.

Hon. Mr. Davis: I hear from the member for Niagara Falls that I need a new writer.

Mr. Cunningham: You need a lot of new things.

Mr. Speaker: Order.

Interjection.

Mr. Speaker: Order, please.

Hon. Mr. Davis: Mr. Speaker, when I look around me and I see some of the people who have been here for a while—

An hon. member: Too long.

Hon. Mr. Davis: —who are pretty able, who are tried and responsible, and then I look across the House, I am awfully tempted to do an Elmer Sopha. I look at the vacant seat—and I understand why; I am not being critical of the Leader of the Opposition—and I go to his immediate left, I go to his immediate right; and I look at the member for Lakeshore—

Mr. Reid: It's scary, isn't it?

Hon. Mr. Davis: —and perhaps the member for York South (Mr. MacDonald), who is away. Then I say to myself, even if I were to reorganize the New Democratic Party of Ontario, after I have said all of those things, where else is there to go? There is a great paucity of talent, we know that—

Mr. Renwick: We have heard that line.

Interjections.

Hon. Mr. Davis: That is what Elmer would do. And I certainly wouldn't do what Elmer would have done.

Hon. J. R. Smith: He is missed.

Hon. Mr. Davis: Elmer would look at his former colleagues across the House—and all the hon. members remember him, or most of them do, so well—and he would be at a loss for words. Poor Elmer just couldn't think of anything to say about the Liberal Party of Ontario at this precise moment. He couldn't

think of a word. But I didn't come here tonight to—

An hon. member: We know what you came here for.

Mr. R. S. Smith: The Premier is not in Elmer's class.

Hon. Mr. Davis: Mr. Speaker, I've got to tell the member for Nipissing, or whatever the riding is, I was in Elmer's class. He says I am not; I've got to tell him I was.

Mr. Nixon: You must have had different teachers; you don't measure up to him.

Hon. Mr. Davis: Oh, no. He did much better in class than I did.

Interjections.

Mr. Speaker: Order, please. Can we get on with the business of the House?

Hon. Mr. Davis: Certainly. I don't want to be interrupted like this, Mr. Speaker.

Mr. Reid: We are just trying to help him out, Mr. Speaker. He has got nothing to say.

Mr. Speaker: Order, please. Several other people are in the same boat, then.

Hon. Mr. Davis: That's right, Mr. Speaker. This evening I am with you—until later on. But I want to talk about the budget because that is what the budget debate is about.

Mr. Reid: It will be a short speech to defend that.

Mr. Wildman: Very good.

Mr. Makarchuk: Another Davis profundity.

Hon. Mr. Davis: I would say to the member for Brantford that before I am finished, he may find one or two profound things that he and some of his colleagues might think about.

Mr. Makarchuk: Like Rondo, for example.

Hon. Mr. Davis: Perhaps when we get to the conclusion the hon. member might just give some consideration to one or two thoughts I have tonight.

However, I want to deal with non-controversial matters first. I want to deal with the budget, because it was a budget aimed at stimulating our growth and sharing equity in the management of costs and protecting the average citizen against the ravages of inflation. It forms a consistent element of an economic strategy which has contributed to a

real drop in the rate of inflation—not just a fictitious one—which has served to protect the buying power of the working men and women of our province. It is a strategy which both opposition parties have consistently opposed from time to time, with the present opposition position being led by the New Democratic Party.

Mr. Reid: We are against deficits of the size you bring in.

Mr. Speaker: Order.

Hon. Mr. Davis: The no-confidence motion put forward by the NDP is a clear statement of their agenda for government, their cynicism and their negative approach.

Interjections.

Hon. Mr. Davis: While I really don't want to be provocative tonight—

Mr. Cassidy: You are.

Hon. Mr. Davis: —because I was provoked a little earlier—and I will be referring to it and to the member for Sudbury—I think it is a clear indication of the subtle transformation that has taken place in the last few months in the party opposite.

Mr. Angus: Yes, you guys have shaped up.

Hon. Mr. Davis: I sense the idealism is gone; the hope is gone.

Interjections.

Hon. Mr. Davis: It has all been replaced with an umbrella of cynicism and defeatism about much that challenges Ontario and her people.

Interjections.

Mr. Reid: We always find them that way.

Mr. Speaker: Order, please.

Hon. Mr. Davis: I've read it very carefully and the non-confidence motion advanced and amended places the NDP four square in the position of personifying cynicism in every respect.

Interjections.

Hon. Mr. Davis: Let me deal directly with Reed Paper and our memorandum of understanding, a classic target for the cynical and the negative.

Mr. Moffatt: Memorandum of misunderstanding.

Interjections.

Mr. Speaker: Order, please.

Hon. Mr. Davis: Yes, they really are being very unruly, Mr. Speaker. It's something beyond the comprehension of those opposite that any agreements between a government and a private company can bring any good.

Mr. Cassidy: That agreement and Reed's record.

Mr. Renwick: That agreement; not any agreement.

Mr. Speaker: Order, please.

Hon. Mr. Davis: It is totally outside their minds—

An hon. member: Where's Jack Stokes?

Interjections.

Mr. Speaker: Order, please.

Hon. Mr. Davis: It's outside their frame of reference.

Interjection.

Hon. Mr. Davis: Mr. Speaker, I exclude the hon. member to the geographic left of the member for Riverdale (Mr. Renwick). It is beyond their public comprehension that the government or the company would live up to a set of conditions which sought jobs and development for northwestern Ontario—

Interjections.

Hon. Mr. Davis: —through a carefully-phased and exhaustive examination of the public interest, the environmental aspects, the economic, our native people and developmental aspects.

Mr. Reid: You only came to that reluctantly.

Hon. Mr. Davis: That happens to be exactly what we are doing.

Interjection.

Hon. Mr. Davis: The difference between us over here and those people over there—this is a matter of record, thank heavens—

Mr. Cassidy: Vive la difference.

Hon. Mr. Davis: —is that they would not even have tried to do anything. They would have shelved the whole deal. They would have pigeon-holed all of northwestern Ontario simply because it was easier, less controversial and less in conflict with their own narrow approach.

Interjections.

Mr. Makarchuk: Don't defend the indefensible.

Hon. Mr. Davis: Mr. Speaker, this government must serve all of the—

Mr. Cassidy: Your problem is selling the province for a mess of pottage.

Mr. Speaker: Order.

Interjections.

Hon. Mr. Davis: A mess of pottage? Are you going to put that on your next circular to your constituents? You should see the bulletin of the member for Ottawa Centre to his constituents. Have you seen it?

An hon. member: Did you fill it out?

Hon. Mr. Davis: It solicits support for the New Democratic Party. I don't know whether that's good or bad, but that I understand. Then it has a series of questions—that's tremendous.

Interjection.

Hon. Mr. Davis: One of the questions to his constituents is—and this opposite a very flattering picture of the member for Ottawa Centre—

Mr. Reid: That's impossible; technology isn't that good.

Hon. Mr. Davis: —which is not easy to achieve, but it's right there.

Hon. Mr. McKeough: It must have been retouched.

Hon. Mr. Davis: He says in his questionnaire: "Which party do you think can best govern Ontario?" He has the three parties listed.

Mr. Breithaupt: And a fourth space for, "None of the above."

Hon. Mr. Davis: I'll make a prediction: If he got back a totally objective analysis, even from his riding, his party would not come ahead in that question. I give him that information.

Interjections.

Hon. Mr. Davis: I say this to the member for Wentworth—do you know what the next question was?

Mr. Cassidy: That's the unfortunate one.

Hon. Mr. Davis: Do you know what it was? I've got to tell you what it is: "Which party leader do you think has the most sex appeal?" It's right there in writing.

Mr. Angus: And they all said Lorne Henderson.

Interjections.

Hon. Mr. Davis: I don't back off from any challenge.

Mr. Speaker: Order.

Hon. Mr. Davis: It lists the three party leaders. I've got to tell you—which of the three party leaders do you think has the most sex appeal?—I can see the member for Ottawa Centre now; if the report comes in that his leader has less he'll have to find some other riding or some other profession. I'll give him a straw poll and tell the member for Wentworth that if the young ladies in their caucus are any example of what reaction might be to that question, they are in trouble as a party, and you know whereof I speak.

I only digressed because I was provoked, Mr. Speaker.

Interjections.

Hon. Mr. Davis: That is a great pamphlet. I commend it to the attention of all members.

[10:15]

Mr. Deans: We have three girls who are going to be fired in the morning.

Hon. Mr. Davis: You have some very nice people in your caucus office. Get them back to business.

Speaking of the north, we don't intend to write it off like the members opposite. They are ready to write off their own constituencies.

Mr. Angus: No way.

Hon. Mr. Davis: We will not write off the north. We will not accept that our native people should not have a chance to share in the prosperity with others.

Mr. Makarchuk: You are sharing your mercury with them.

Hon. Mr. Davis: We will not accept the fact that when town councils and elected municipal and provincial representatives seek economic opportunity for the people they serve, the government should turn a deaf ear as would our friends opposite. We don't intend to ignore them.

Mr. Makarchuk: Are you going to change the rules?

Hon. Mr. Davis: The New Democratic Party is so busy institutionalizing envy that they have lost touch with the economic needs of the people of this province. Their opposition to this budget is further proof of that insensitivity. I am really surprised they are not supporting it.

Mr. Conway: The member for London North didn't.

Interjections.

Hon. Mr. Davis: I have made reference in the past to their obsession with the pie. I use it because I don't have the same command of the language as some of the members opposite but I know about pie.

Mr. Warner: One day you are going to eat humble pie.

Hon. Mr. Davis: Oh, I am a very humble person. You should learn a little humility and you would go further. It is something you people haven't learned over there. I am just amazed at how some of the members opposite in that party in particular have all the answers after one year.

Mr. S. Smith: You don't have any of the answers.

Hon. Mr. Davis: I have been here since 1959, and I know some of you will say it's too long, but I must confess I don't have all the answers to all of the problems.

Mr. Reid: You don't even know the questions.

Hon. Mr. Davis: I know I don't. However, I am this bold as to say I have more answers than some of the members opposite. Mind you, I have got a lot more able help than the members opposite too.

Mr. Reid: Oh, no.

Mr. S. Smith: There goes the humility.

Hon. Mr. Davis: But I am talking about the economic pie.

Mr. Breithaupt: Let them wake up and stand up.

Hon. Mr. Davis: Did I hear from the member for Kitchener? I remember when he used to be the economic expert in that party.

Mr. Breithaupt: I am still not all that badly off.

Hon. Mr. Davis: Those were the good days. His party had more members then.

Mr. Breithaupt: We've never had more.

Hon. Mr. Davis: No, I should say a higher percentage of the total; that's right.

Mr. Sweeney: You never listened. That's why you are in so much trouble.

Mr. Breithaupt: The member for London North wanted a chance but he blew it.

Mr. Speaker: Order, please. Everyone else has had the opportunity to debate this matter. The hon. Premier.

Hon. Mr. Davis: In simple terms, getting back to the pie, if I may, we seek to make it bigger through economic growth and through vitality so everyone can have a fair share of that pie, but members opposite simply seek to divide it again and again without any thought of growth until they are scratching the bottom of an empty plate.

Mr. Sargent: Look who is talking about the pie.

Hon. Mr. Davis: In simplistic terms, that is your approach to economics.

Mr. S. Smith: And ours is the only party that will do both.

Mr. Breithaupt: Your share of the pie is more crust.

Hon. Mr. Davis: As the leader of the third party should know, and I am sure he does—

Mr. Sargent: It is a bunch of nonsense.

Hon. Mr. Davis: I am sorry the member for Grey-Bruce is leaving. He is concerned about nonsense.

Mr. Sargent: You gave the same speech last year.

Hon. B. Stephenson: The member wasn't here.

Hon. Mr. Kerr: Who told him?

Hon. Mr. Rhodes: Who read it to him?

Hon. Mr. Davis: I have to tell him that if anybody knows anything about nonsense, there is not a better expert in the House than the hon. member for Grey-Bruce.

Mr. Speaker: Will the member for Grey-Bruce either leave or take his seat?

Hon. Mr. McKeough: Get out. Go on, leave. Goodbye.

Mr. Sargent: Tell us about the deficit.

Mr. Speaker: Order, please.

Mr. Sargent: How much deficit have you got?

Hon. Mr. Davis: You are embarrassing your leader again.

An hon. member: That is hard to do.

Hon. Mr. Davis: The member embarrassed his leader earlier this week. He is embarrassing him again tonight. He can only take so much embarrassment. But as the leader of the third party should know, Mr. Speaker, the NDP is not totally opposed to free enterprise or individual freedom. They define it differently, if I can phrase it that way. Free enterprise for them conjures up visions of government insurance plans—

Mr. Conway: Of good severance pay.

Hon. Mr. Davis: —in British Columbia or Manitoba, where those enterprises were free of competition, we understand that. They were free of good customer service and they were free of balanced books, that's the NDP approach to free enterprise.

Interjections.

Hon. Mr. Davis: Their type of free enterprise, as they define it and as we understand it—and the member who's leaving out the back door because he knows what I'm saying is true—their type of free enterprise is over-regulation, over-taxation; simple job-destroying discouragement of the resource industry. They would seek that kind of enterprise and see it operating free of initiative, free of freedom and free of profit; that we acknowledge.

Interjections.

Mr. Cassidy: That's almost as bad as Darcy's statement.

Hon. Mr. Davis: Listen, do you want me to go back to your pamphlet again? Don't tempt me.

That's the type of free enterprise, Mr. Speaker, this province can do without.

And that brings me to that part of the motion that the New Democratic Party have placed, with jobs and job creation. You know, in their obsession with the pie they forgot some basic geometric realities. The reality of one piece getting smaller if another gets bigger. And let's hold up their logic to scrutiny—it won't be easy.

We have a tax exemption on production machinery and equipment to promote indus-

trial growth, expansion and job creation, a very enlightened piece of legislation.

Ms. Bryden: How many people?

Mr. Cassidy: Prove it.

Mr. Speaker: Order, please.

Hon. Mr. Davis: I've got to tell them this, those people voted for it on second reading.

Mr. Eaton: That's right, I was there!

Mr. Roy: Then they changed their minds.

Hon. Mr. Davis: I want Hansard to show the New Democratic Party of Ontario voted for that bill on second reading. They did.

Interjections.

Hon. Mr. Davis: The member for Wentworth did vote for it. I didn't see him voting against it. What, was he neutral?

An hon. member: The NDP House leader wasn't here.

Hon. Mr. Davis: The House leader was busy conducting his own survey.

Mr. Deans: I was trying to figure out if we could afford it.

Mr. Speaker: Order.

Hon. Mr. Davis: Their motion calls for job creation, and their finance critic, in her budget speech, said they would eliminate that exemption, I think that's fair to state. That's the type of logic that Dave Barrett would be proud of. He would understand it and he would accept it.

But I want to read into the record a letter received by the Treasurer from a Mr. Malcolm Mallory, president of Rubbermaid Limited. It happens to be in the Mississauga riding that I used to represent. I want to quote from the letter, Mr. Speaker, and I'll read it very rapidly:

"The Hon. W. Darcy McKeough, Treasurer of Ontario, Minister of Economics and Intergovernmental Affairs, Frost Building, Queen's Park, Toronto.

"Dear Mr. McKeough:

"I am writing to offer my sincere congratulations for having the courage to make the decision you did in continuing the sales tax exemption for production machinery."

Mr. Breithaupt: Oh, that's courage.

Mr. S. Smith: A lot of courage.

Mr. Speaker: Order.

Hon. Mr. Davis: Let me finish the letter, I'm only quoting.

Mr. S. Smith: That is creating a lot of jobs, I'm sure.

Hon. Mr. Davis: "This is most certainly a positive measure and will be one badly needed inducement for Ontario manufacturers to provide capital for investment in productive equipment. The only regrettable consequence of this forthright decision is the absolutely regrettable and irresponsible comment made by the Leader of the Opposition, Stephen Lewis, and the leader of the Liberal Party, Stuart Smith. Mr. Lewis has stated"—and I'm still quoting from the letter because I wouldn't say these things—

Mr. Breithaupt: Is he your campaign manager?

Hon. Mr. Davis: "It is really quite breathtaking to be giving away this amount of money to create jobs when there's not a single study to show it has created any.'" That is Mr. Mallory's quote from the Leader of the Opposition. I now go on to quote Mr. Mallory:

"I can offer Mr. Lewis tangible evidence that my company is investing money in expansion and growth requiring productive equipment. No small part of this decision to invest further capital in our business has been the availability of sales tax exemption.

"Congratulations, keep up the good work.

"Yours very truly, M. R. Mallory," of Rubbermaid of Canada.

Mr. S. Smith: Michael Gee?

Mr. Foulds: How many jobs?

Mr. Breithaupt: One swallow doesn't make a summer.

Hon. Mr. McKeough: And that is just one of thousands of letters we had.

Hon. Mr. Davis: That's right, thousands of them!

Mr. Moffatt: The perfect non sequitur.

Mr. Roy: How many letters?

Mr. Speaker: Order, please. Order. The hon. Premier will continue.

Hon. Mr. Davis: Let me deal briefly with that part as it relates to agricultural land,

one of our favourite subjects. I want to take all of these in order, in a sensible, logical, friendly sort of way until I get to the end.

Mr. Warner: When you get to the end you are going to resign, I hope.

Hon. Mr. McKeough: You are vulnerable over there. You are a little vulnerable in that party.

Mr. Speaker: Order.

Hon. Mr. Davis: I say to the hon. member for Scarborough wherever, I will have something—

Hon. Mr. Kerr: An overnight guest.

Hon. Mr. Davis: —to say about resignations at the end of my remarks. Yes, I will.

Dealing with agricultural land, this is an issue which is tailor-made for the people in the New Democratic Party. It's one that gives them the formula scare approach which they call love. They do it by frightening people but they call it love. The politics of fear, some might call it, although I, for one, would not be quite so controversial.

The Minister of Health has to go and check his swine flu shot; so do I.

In simple terms they have once again distorted an issue. The issue is food production and agricultural acreage and the relationship of that production to the needs of our province and its people. There are some facts here which our friends opposite are reluctant to make reference to; that's not unusual.

In our major agricultural district, south-western Ontario—they are not too familiar with that area—

Hon. Mr. McKeough: Thank God.

Hon. Mr. Davis: —we find more than 5.36 million acres being farmed now in 11 counties and regions. Potential food lands not being used for farming or anything else amount to more than 66,000 acres or a bit more than one acre in reserve for every 100 acres being farmed. That seems appropriate for an area of intensive agricultural use.

Mr. S. Smith: We had planned to vote with you.

Hon. Mr. Davis: Moving to eastern Ontario—

Mr. Bain: You forgot the Niagara Peninsula.

Hon. Mr. Davis: I'll get to the Peninsula; give me time. I'm going west and then east.

Mr. Speaker: Order, please.

Hon. Mr. Davis: In fact, we're going to Welland in particular. We think that's a highly desirable area.

In eight counties and regions in eastern Ontario we find more than 27 acres of potential food land in reserve for every 100 acres being farmed. Agriculture is still thriving on 1.45 million acres in this area stretching roughly from Oshawa to Niagara, and the reserves of potential agricultural land amount to well over a quarter of a million acres.

The point here, and I know it's simplistic, is that there has been a tremendous increase in per acreage production in the agricultural industry. As a whole, based on physical volume, there has been a 95 per cent increase over a 20-year period spanning from 1951 to 1971.

Mr. Cassidy: But we import more and more of our needs.

Hon. Mr. Bennett: That is because of desire.

Mr. Cassidy: That is because of need.

Hon. Mr. Davis: I want to touch on the area of occupational health but very briefly. I want to compliment the minister and to say to all members of the House, that I think with the bill we have passed, we have made a very significant step forward in terms of the occupational health of our citizens.

I have been asked a number of questions and I want to deal specifically with the question of rent control. That emerges in one of the subamendments—I forget which order it is in—and it's a matter in which our friends opposite should have, with their friends in the third party, an all-abiding concern.

The present rent review legislation has many administrative problems. We acknowledge it; they're there. Members opposite made many amendments to what was initially more simple legislation. They will all recall it.

[10:30]

Mr. Roy: Oh, yes, it was very simple.

Mr. Cunningham: It would be cheaper to give the money away.

Hon. Mr. Davis: Their concern now over the difficulties in bureaucracy is interesting and revealing, and I'm sure some of the members opposite wish they could have a second go-round at it.

Mr. Roy: You're really backing off.

Hon. Mr. Davis: In fact, Mr. Speaker—

Mr. Roy: Talk to your minister who was suck-holing around here.

Mr. Speaker: Order. Order.

Hon. Mr. Davis: —Saul on the road to Damascus, some would say to the member for Ottawa East.

Hon. Mr. Rhodes: He ought to learn the English language and keep it clean.

Hon. Mr. Davis: Quite right. This government has asserted on a number of occasions its firm conviction that the anti-inflation programme can only be successful if it is carried out as a national effort. For that reason this government entered into a programme inaugurated by the government of Canada, and into an action that was eventually sustained by resolution of this House with great enthusiasm.

At the moment, there is considerable discussion both about the length of time the controls should continue to apply in this country and the measures that will be appropriate when those control measures come to an end. Indeed, we have already announced a major Ontario initiative in calling together leaders from business, industry and the unions to discuss this matter with us early in the new year.

Mr. Nixon: Is it going to be held in Tel Aviv?

Hon. Mr. Davis: No, it will be after that. One of the great regrets the member for Brant-Haldimand-Norfolk has had in his political career—

Mr. Nixon: You never get it right—along with everything else.

Hon. Mr. Davis: —is that he has never been over here so he could go on some of those exotic trips. I know it, I can tell it every time he raises it. I've got to tell him, it's a lot of work as well.

Mr. Nixon: I just wish I didn't have to pay for yours.

Mr. Cunningham: Tell us about that Italy trip.

Mr. Nixon: Are you going to take Piccininni with you on this one?

Hon. Mr. Davis: Hopefully, out of these discussions, a sensible, workable approach to the matter, which is so important to the

economic well-being and future of this country, will emerge.

Mr. S. Smith: Are you going to put out a nice glossy on this one too?

Mr. Nixon: Who pays for the cameraman?

Mr. Breithaupt: Eddie Goodman and his Brownie.

Hon. Mr. Davis: Clearly, in attempting to maintain effective control over both wages and prices, no important area of expenditure affecting the average citizen can be neglected.

For many people, the most important expenditure of all is the rental payment that must be made month after month. At the same time that the AIB programme was being launched in this country, this Legislature gave approval to rent control legislation that has had much to do with maintaining an effective lid over increasing rental charges during the past 18 months.

Ms. Bryden: You were pushed into that.

Hon. Mr. Davis: Not really. The hon. member should have been with me with the first minister at lunch on that Thanksgiving. We weren't pushed; we were politely asked: "Join the anti-inflation programme, which included rent controls.

Mr. Breithaupt: Or no dessert.

Hon. Mr. Davis: While that programme has been independent of the AIB, it certainly operated in parallel with it and towards the same major objectives. Under these circumstances it is clearly reasonable to believe that rent control cannot be brought to an end independently of the termination of the AIB programme in total. Or, to state it in a reverse fashion—

Mr. Cassidy: It is reversed.

Hon. Mr. Davis: —as long as we have AIB regulations, it is clear that we must also have some form of rent control.

Mr. Roy: Sid, are you going to take that?

Mr. S. Smith: You are the minister of a mess.

Mr. Reid: Are you resigning, Sid?

Mr. Nixon: You're going to give that job to the member for Ottawa West.

Interjections.

Mr. Speaker: Order, please. The hon. Premier only has the floor.

Hon. Mr. Davis: That's right.

Mr. Roy: You have made your minister very mad at you.

Mr. Speaker: Order, please, the member for Ottawa East.

Hon. Mr. Davis: Only I have the floor.

Interjections.

Mr. Speaker: Order.

Hon. Mr. Davis: The members opposite are going to support it, I tell them now.

Mr. S. Smith: There will be one cabinet shuffle.

Mr. Speaker: Will the hon. Premier continue, please?

Mr. S. Smith: There will be one more cabinet shuffle. Sid won't do it, you know; he won't administer a mess.

Hon. Mr. Davis: Mr. Speaker, I want to give some advice to the leader of the third party: He should be so fortunate to have so few problems internally within his party as I have within mine.

Mr. S. Smith: You are still going to have to deal with him.

Hon. Mr. Davis: His life would be relatively simple.

Hon. Mr. McKeough: Have you found a new seat yet, Stuart?

Mr. Breithaupt: What size parka do you wear, Sid?

Mr. S. Smith: Maybe Sid can privatize the campgrounds for Leo, and Leo can give away Gray Coach for Jim; then Jim could close the hospitals for Frank.

Hon. Mr. Davis: Just look at the anticipatory smile—that's a good way of describing it—on the face of the member for Ottawa East.

Mr. Roy: What?

Hon. Mr. Davis: He knows what I mean.

Mr. Roy: No, I don't. Explain.

Hon. Mr. Davis: Does he want me to tell the world?

Mr. Sargent: You know why, because they are all a bunch of dummies over there.

Some hon. members: Oh, oh.

Hon. Mr. Davis: Mr. Speaker, I want to say to the leader of the third party how questionable his judgement has become in the last few moments by promoting the member for Grey-Bruce to the front row. I just can't understand it.

Mr. Roy: Eddie will take on Lorne anytime.

Mr. Nixon: You and Frank too.

Hon. Mr. Davis: I am not so sure.

Mr. S. Smith: Where is Bob Johnston?

Hon. Mr. Davis: I want to make it clear, therefore, to both the members of the House and the general public of this province that this is the position of the government of Ontario in regard to the policy we will follow after July 1, 1977.

Mr. S. Smith: Took you long enough.

Hon. Mr. Davis: As a result we shall, during the spring session, introduce legislation that will ensure continuation of a form of rent control programme following that date. So, to the member for Ottawa Centre who I know can hardly wait to make speeches I say, for the next three months relax, enjoy yourself, tabulate your questionnaire, show more people that picture on there.

Hon. Mr. McKeough: And burn the results.

Hon. Mr. Davis: And burn the results, as the Treasurer would say.

Hon. Mr. Bennett: Be sure to write and tell Mr. Greenberg right away.

Mr. Roy: It is the speeches of the member for Carleton that I am anxious to hear.

Hon. Mr. Davis: Listen, there is no problem.

Mr. Roy: It is a mess.

Hon. Mr. Davis: If the member would listen to him more often he would have fewer problems.

Hon. Mr. Rhodes: You may not be so glad, boys.

Hon. Mr. Davis: Now, Mr. Speaker, I am coming to the conclusion, if I can rush this along, in my remarks.

Mr. Deans: Come to the end.

Hon. Mr. Davis: No, no, I never come to the end, I come to a conclusion.

Mr. Speaker, I indicated that I would use the opportunity of these brief remarks to

deal with our participation at the first ministers' conference earlier this week and any reactions we might have to the participation of our sister province of Quebec at that meeting. Let me say at the outset—

Mr. Sargent: You weren't very impressive down there.

Hon. Mr. Davis: Oh, that is not what some people have said. But I would agree; I am very modest. I am not out to impress, as the member for Grey-Bruce is. I am just not that kind of person.

I will say at the outset we wanted more, but that wasn't the sole issue at this conference. The concessions made by the federal government with respect to the revenue guarantee and the change in basic policy and principle were significant.

Mr. Warner: This speech has had a great effect on the Minister of Transport.

Hon. Mr. Davis: The federal government moved from zero to two points, largely because the provincial consensus on the issue of revenue guarantee held long enough for the federal government to sense the importance of responding. That provincial consensus held largely because of the leadership and direction provided by this province and particularly by the Treasurer and Minister of Intergovernmental Affairs of this province, the hon. member for Chatham-Kent.

Interjections.

Mr. S. Smith: Such enthusiastic response; there goes the leader. Try the Attorney General and see if he does any better.

Interjections.

Hon. Mr. Davis: Oh, be patient.

Mr. Deans: Would you do that again? It was really weak applause.

Hon. Mr. Davis: That provincial consensus held largely because of the leadership and direction provided by this province and particularly by the Treasurer and Minister of Intergovernmental Affairs—

Mr. Breithaupt: Now let's hear it.

Hon. Mr. Davis: —of our own province, the hon. Darcy McKeough, the member for Chatham-Kent.

Mr. Breithaupt: Now.

[Applause]

Interjections.

Mr. Peterson: Did he shout at them all? How did he handle it? Did he shout them all down or what?

Mr. S. Smith: Call time for the Attorney General. Call time for the Attorney General.

Hon. Mr. Davis: I have to tell the leader of the third party that the Attorney General in this province—

Mr. Breithaupt: Is second to none?

Mr. S. Smith: Get ready now.

Hon. Mr. Davis: —has the capacity to make his own equal time. He doesn't need any assistance from me, do you, Mr. Attorney?

Hon. Mr. McMurtry: Absolutely not.

Hon. Mr. Davis: Absolutely not.

Mr. Reid: The Supreme Court will only carry him so long.

Hon. Mr. Davis: These men and women on this side don't need to be propped up like some of their colleagues opposite. They really don't.

Mr. S. Smith: Speaking of that, where is the member for St. Catharines (Mr. Johnston) tonight?

Hon. Mr. Davis: Where is the member for St. Catharines tonight? He is unwell.

Mr. Cassidy: He is always unwell.

Mr. Reid: Can't argue with that.

Mr. Breithaupt: How can you tell?

Hon. Mr. Davis: I don't know.

Mr. Cunningham: Got on the wrong bus.

Hon. Mr. Davis: Let me say as well that the present government of Quebec, separating its long-term goals from short-term, was generally most supportive of the provincial consensus both in public and in private. I did not hesitate to disagree with the Premier of Quebec when he advanced the view that the tensions and ongoing negotiations were symptomatic of a federal system which did not work.

In response to a statement from the first minister of this country when he used the phrase, as I think I expressed it, of our system really relating to one of accommodation, I suggested to the first minister that four points would illustrate a combination very nicely. I went on to make these observations—I have thought about them since and I believe them to be right—that the ten-

sions which do exist in this country make it different in a qualitative sense from our friend to the south.

I look to the south not as some of the rest of you do; I even go there on occasion, as do some of the rest of you; but I don't ever recall there being a series of conferences between the President of the United States and the governors of the states to discuss constitutional reform and fiscal matters. There has never been that sort of dialogue, that sort of communication.

We have had that here in this country and I know the leader of the Liberal Party who—

Mr. S. Smith: They have used it. They have had a constitutional amendment. It is a totally different system.

Hon. Mr. Davis: Certainly, that is the point I was making to the Premier of Quebec. It is a totally different system and I think, as a result, the quality of what has emerged from the system in this country is better for our purposes, if I can phrase it that way, than the system which exists in the United States. I think it is fundamentally better.

Mr. Cunningham: You borrow your money from them. You be nice to them.

Hon. Mr. Davis: I would say, if you don't want to take this matter seriously, we borrow money from a number of places.

Mr. Cunningham: You bet you do.

Hon. Mr. Davis: Perhaps you do, too, I don't know.

Mr. Cunningham: I will tell you I get better rates than you do.

Hon. Mr. Davis: I don't know anything about the member from wherever—

Mr. Sargent: Why don't you tell them you are at the end of the line? You can't afford their money.

Mr. Speaker. Order, please.

Hon. Mr. Davis: That isn't quite right either. The member for Grey-Bruce may be at the end of his line of credit but this government is not.

Interjection.

Hon. Mr. Davis: How are your Team Canada sweatshirts going?

Mr. Roy: There is no end of the line.

Hon. Mr. Davis: I want to comment very briefly on the new government of Quebec. It

is my impression that the government of Quebec is evaluating every issue on its own merits. It is taking a look at each issue as it emerges in the national context and it is doing so with a view to long and short-term objectives. I found the Prime Minister—I know some members may be surprised at this—while still not as sensitive to provincial fiscal concerns as we would like him to have been or as open to reasonable compromise when the provinces stood firmly, I do believe it represents progress for national unity and regional reconciliation.

It was a major step forward for the government of Canada to recognize that the time had come—a position advanced by Ontario and Quebec some years ago—when we should have the fiscal resource to administer those programmes for which we are basically responsible. That is the kind of accommodation, the kind of reasonable progress, which has enabled this country to move ahead in the past and I am an optimist—I think it will continue to do so in the future.

I want to touch on a related area because it has been mentioned by one or two members in this House. I would say to them as I introduce these remarks that I recognize the sensitivity of this area. I would refer them to Mr. Levesque's statement to the first ministers' conference when he was, I think, pretty categorical that he was not, as Premier of Quebec, concerned about the bilingual policy of the government of Canada.

I would say to the leader of the Liberal Party in this province that Mr. Levesque's predecessor, a Liberal, really was not concerned about the kind of policy we have for Franco-Ontarians which did not in any way relate to his policies, his concerns, within his province of Quebec. I say, with respect, my view is that will be the attitude of the new Premier of Quebec as well.

Mr. S. Smith: That is right, he is against it.

Hon. Mr. Davis: I would say to the leader of the Liberal Party that I support—

Interjections.

[10:45]

Mr. Speaker: Order, please. The hon. member had his opportunity to speak. Order.

Mr. S. Smith: He says just separate. You don't even understand.

Hon. Mr. Davis: I am just giving the member a few personal thoughts. Don't get excited. I am trying to help him with this, and help myself and everybody. Come on.

Mr. Roy: Yes, misguided.

Mr. Nixon: You should have been here to listen to his speech.

Mr. S. Smith: If you had heard my speech you would understand.

Mr. Sweeney: That is the problem. He doesn't understand. That is the problem.

Hon. Mr. Davis: May I say to the member for Hamilton West that the policy we have adopted here is a reasonable one. It's clear and it's direct. We are committed to providing, where it is reasonable and practical, French language services to the francophone residents of this province. This is their home. We are their government as much as we are the government of the anglophone majority.

The 110,000 students in over 350 French-language schools across Ontario benefit from a policy of which all Ontarians can be proud. Trial programmes in French-language service delivery are proceeding in many areas.

Mr. Cassidy: It has always been a struggle to get them.

Hon. Mr. Davis: I want to be clear on one point—and I'm not going through a litany of all of the things that are being undertaken—this government is not interested in a programme based on deadlines, overblown publicity, moralizing, and self-proclaimed self-righteousness. That type of programme just doesn't work.

Interjections.

Hon. Mr. Davis: I resent, Mr. Speaker—and I don't often resent things, although there's another subject in a moment or two—the statement attributed in Hansard on December 2, to the NDP member for Cochrane South (Mr. Ferrier), and I quote: "I don't think this government had a significant commitment to any kind of bilingualism. Any kind of commitment they have had has been mere tokenism."

An hon. member: Right on. Right on.

Mr. Warner: It's so evident.

Hon. Mr. Davis: I know the hon. member relatively well. He was a former constituent. But I say to him, because he's a very fair-minded man, that is a cheap remark, it is unseemly and it is less than fair. It just is not true.

Mr. Samis: That's pretty cheap yourself.

Hon. Mr. Davis: It really represents a cavalier attitude towards any pragmatic con-

cern for French-English harmony in relations which is unbecoming any political party in this province.

Mr. Cassidy: We would—always creates resentment among francophones.

Hon. Mr. Davis: Our commitment to provide, reasonably, practically and economically, French-language service to our French-speaking citizens, will not be deterred by that type of sniping or irresponsibility.

Mr. Cassidy: A lot of it has come because of pressure from this side of the House and from the francophone community.

Hon. Mr. Davis: Irrespective of administrative difficulties, which we will seek to deal with, we think our programme is fair, it is practical, it is cost effective, and it is reasonable, and that is exactly how this programme in our province is going to remain.

Mr. Sargent: This is the worst speech the Premier has made in his life.

Hon. Mr. McKeough: Oh, get off it.

Hon. Mr. Davis: In seeking the confidence of the House—

Mr. Bullbrook: Lorne, you believe in bilingualism, don't you?

Hon. Mr. Davis: I am delighted the bilingual member for Sarnia is back with us here tonight. It's a pleasure. He has moved a seat.

Mr. Bullbrook: I have been demoted slightly, sir.

Hon. Mr. Davis: Moved it more than slightly?

Mr. Speaker: Will the hon. Premier please continue? Thank you.

Mr. Bullbrook: Demoted, it's an English word.

Hon. Mr. Davis: Oh, I see, you've been demoted. I'm sorry, I didn't hear you.

Mr. Speaker: We're keeping Her Honour waiting.

Hon. Mr. Davis: I would say that if the leader of your party has demoted you, he has made a fundamental error again. I wouldn't have demoted you at all.

Mr. Bullbrook: The greatest applause you have got on your bilingualism policy was from Lorne Henderson.

Hon. Mr. Davis: He probably understands it better than you do.

Mr. Sweeney: If he understands it, you are really in trouble.

Mr. Speaker: Order, please. Could we get on with the debate now, please? Thank you. Order.

Hon. Mr. Davis: In seeking the confidence of the House, as is my responsibility on this budget wind-up—and I don't do this lightly and I have never really done this before—I want to apprise the House of my own deep disappointment, my disgust and anger at the conduct of certain members of the public accounts committee.

This morning in a national newspaper 800 medical practitioners in this province were exposed to a level of cheap, underhanded and malicious politicking which is a scar on the face of the political life of this province. Those doctors, to my knowledge, have committed no crime. They have received payments from the Ontario Health Insurance Programme for services which they dispense to the citizens of this province. There's no relationship in any necessary way between the amount of money paid to them by OHIP and their personal income before taxes. Many pay large groups of technicians and nurses. Many have large overheads which relate directly to the services they dispense. Yet they have been exposed so as to imply that they have somehow cashed in unfairly.

Mr. Philip: That's not so.

Hon. Mr. Davis: That is sick. It is unfair, it is repulsive and it is a very sad commentary on the priorities of some members opposite. It is a matter that angers me and depresses me personally and I think it should gnaw at the conscience of every member of this House and any citizen of this province who cares about an open and responsible political process.

The member for High Park-Swansea seems to feel that his responsibilities are discharged through an apology and a resignation from a committee. The sacred responsibility of this House to deal with all citizens fairly and to respect their natural rights would require more than an apology from a member concerned about his or her public responsibility. Let me make this as clear as I can. If a member of my caucus had violated a resolution of confidentiality moved by another member of my caucus and approved by the committee, I would ask that member of my caucus to resign his seat in the House.

[Applause].

Mr. Deans: Don't applaud too loudly.

Hon. Mr. Davis: Moreover, a member of my caucus who was a chairman of a public accounts committee who had a warrant signed with a signature from members of the committee who were by the way available would be asked to resign his chairmanship of that committee. I saw him doing it over there.

Mr. Foulds: Why didn't you ask Ed Havrot to resign?

Interjections.

Mr. Speaker: Order please, the hon. member for Port Arthur.

Hon. Mr. Davis: Further, members who share my political affiliation who race from courthouse to committee room to effectively deny a group of citizens their fair day in court and their right of appeal through fast footwork would not be welcome within the caucus.

Interjections.

Hon. Mr. Rhodes: Their halo has slipped.

Hon. Mr. Davis: There are three party leaders in this House and it is no simple responsibility to discharge, and I acknowledge it. I acknowledge the apology of the Leader of the Opposition, but I am also hoping that the acting Leader of the Opposition, will convey to him what I have said would be my reactions with respect to the members on this side of the House. I have indicated that we all have to discharge our responsibilities and I have indicated to you, Mr. Speaker, and to the people of this province how I would discharge mine.

One of the values of minority government—and it has been a value—is that the responsibility of running the legislative affairs of this House is more generally shared. I have said this to the House leader for the New Democratic Party and some of my colleagues may be upset but I compliment him. He has made a genuine effort to make this system work. So has the member for Kitchener. He has had more problems, I expect, internally in endeavouring to do it.

I think the people of this province have been served by minority government. I don't pretend to like it—I would rather have a majority and I have news for the members—some day we are going to have that but that's not tonight; commencing with tonight.

Mr. Reid: No, you won't—

Mr. Nixon: You had it before you let Mr. Havrot run for you.

Hon. Mr. Davis: One of the values has been the responsibility—and I use the term responsibility because in today's political climate I think it's particularly appropriate—which relates pretty directly to the capacity to be a government or an alternative government as our system provides.

The doctors of Ontario deserve an apology from the official opposition and perhaps—

Mr. Bullbrook: Do you remember Ed Havrot?

Hon. Mr. Davis: —we might be permitted to ask who is next on their list of targets. Is it the lawyers?

Mr. Cassidy: You are demeaning yourself.

Hon. Mr. Davis: Is it the pharmacists? The teachers—

An hon. member: It won't be the labour unions.

Hon. Mr. Davis: —the nurses, or will it be the civil servants?

Mr. Cassidy: Did you ever apologize for the teachers?

Mr. Speaker: Order, please.

Hon. Mr. Davis: I say to the member for Sudbury, he can't escape some of the responsibility for what happened. He cannot escape some of the responsibility.

Interjections.

Hon. Mr. Davis: In appealing to this House for—

Mr. Cassidy: We won't forget this when your people get into trouble.

Hon. Mr. Davis: —confidence and support on this budget motion—

Mr. Samis: You are just exploiting it.

Hon. Mr. Davis: —I want to add one final thought. The members of the government have no plans for an early election. We really don't. We intend to continue governing through co-operation with all sides of the House but that co-operation has been weakened. It has been limited and devalued today through no fault of this government and that is a tragedy for every citizen of this province.

[11:00]

Mr. Speaker: Order, please. Ready for the question? We will place the question now.

Hon. Mr. McKeough moved that this House approves in general the budgetary policy of the government.

Ms. Bryden moved that all the words after "that" in the main motion be struck out and the following added:

"This House regrets the introduction of a budget responding only to the fiscal impasse of a government which, having over-borrowed and over-spent during its four years in office, recorded an election year deficit approaching \$2 billion and regrets the paralysis of the government when faced with 250,000 people unemployed and the passive acceptance of a continuing unacceptable rate of unemployment in excess of six per cent and regrets the most inequitable feature of the budget, the increased premiums for health care, which highlights the preoccupation of this government with unfair and regressive taxes without considering existing and alternative sources of revenue; and regrets the choice by the government of policies dictated by this impasse and paralysis which fail to create jobs and which cut back vital programmes in health, education and social services, causing more unemployment, and which force regional and other municipal governments and school boards to increase taxes on property;

"And regrets the failure of the government to introduce programmes stabilizing the income of farmers; preserving land for agriculture; making available medical, dental and other social services within a basic economic framework in northern Ontario, particularly in unorganized municipalities, in any way comparable to southern Ontario; providing the incentives and opportunities which will stimulate the ordinary economic development of eastern Ontario; protecting the health of people working in our industries; meeting the needs of public transit in the regions, towns and cities; producing quality housing at reasonable prices and reducing the dependence of our natural resource industries on foreign capital."

Then **Mr. Lewis** moved that the amendment to the motion that this House approves in general the budgetary policy of the government be further amended by adding the following words:

"And further, that this government has failed to respond adequately to:

"1. The administrative problems which have undermined the tenants' accessibility to and confidence in the rent control procedures and to recognize by legislative action the need to ensure protection against unfair rent increases after July 1977;

"2. The need for the early implementation of policies to designate prime agricultural food lands throughout Ontario;

"3. The obvious need to develop manpower programmes, job retraining programmes and job creation programmes;

"4. The neglect of adequate management of our forest resources, which neglect should clearly mean the abandonment of the proposed Reed Paper transaction.

"And that, therefore, this government does not enjoy the confidence of this House."

The House divided on the amendment to the amendment by Mr. Lewis which was negatived on the following vote:

AYES	NAYS
Angus	Auld
Bain	Bennett
Bounsall	Bernier
Bryden	Birch
Burr	Breithaupt
Cassidy	Brunelle
Davidson	Bullbrook
(Cambridge)	Conway
Davison	Cunningham
(Hamilton Centre)	Davis
Deans	Drea
di Santo	Eakins
Ferrier	Eaton
Foulds	Edighoffer
Germa	Evans
Gigantes	Ferris
Godfrey	Gaunt
Grande	Givens
Laughren	Good
Lawlor	Gregory
Lupusella	Grossman
Mackenzie	Haggerty
Makarchuk	Hall
McClellan	Handleman
Moffatt	Henderson
Philip	Hodgson
Renwick	Irvine
Samis	Johnson
Sandeman	(Wellington-
Swart	Dufferin-Peel)
Warner	Jones
Wildman	Kennedy
Ziemba—31	Kerr
	Kerrio
	Lane
	Leluk
	MacBeth
	Maeck
	Mancini
	McCague
	McKeough
	McKessock
	McMurtry

NAYS
McNeil
Meen
Miller
(Haldimand-
Norfolk)
Miller
(Muskoka)
Morrow
Newman
(Durham-York)
Newman
(Windsor-
Walkerville)
Nixon
Norton
ONeil
Parrott
Peterson
Reed
(Halton-Burlington)
Reid
(Rainy River)
Rhodes
Riddell
Rollins
Roy
Ruston
Sargent
Scrivener
Shore
Singer
Smith
(Hamilton
Mountain)
Smith
(Nipissing)
Smith
(Hamilton West)
Snow
Spence
Stephenson
Stong
Sweeney
Taylor
Timbrell
Villeneuve
Welch
Wells
Williams
Wiseman
Worton
Yakabuski—81

Ayes 31; nays 81.

The House divided on Ms. Bryden's amendment which was negatived on the same vote.

The House divided on Hon. Mr. McKeough's motion that this House approves in general the budgetary policy of the gov-

ernment, which was approved on the same vote reversed.

SUPPLY ACT

The following bill was given first, second and third readings on motion by Hon. Mr. McKeough:

Bill 194, An Act for granting to Her Majesty certain sums of money for the public service for the fiscal year ending March 31, 1977.

Hon. Mr. Welch: Mr. Speaker, the Lieutenant Governor is standing by.

Mr. Speaker: In the interlude, may I just remind the members that after this part of the business is over with—I will just remind them of the invitations on their desks this afternoon.

Mr. Reid. Some members got there early.

The Honourable the Lieutenant Governor of Ontario entered the chamber of the Legislative Assembly and took her seat upon the throne.

ROYAL ASSENT

Hon. P. M. McGibbon (Lieutenant Governor): Pray be seated.

Mr. Speaker: May it please Your Honour, the Legislative Assembly of the province has, at its present sittings thereof, passed several bills to which, in the name of and on behalf of the said Legislative Assembly, I respectfully request Your Honour's assent.

[11:15]

The Clerk Assistant: The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 189, An Act to establish the Unified Family Court.

Bill 135, An Act to Provide for the limited inclusion of Grapes grown outside Ontario in Ontario Wines.

Bill 171, The Funeral Services Act.

Bill 187, An Act to amend The Regional Municipality of Hamilton-Wentworth Act, 1973.

Bill 131, An Act respecting Farm Income Stabilization.

Bill 139, An Act respecting Employees' Health and Safety.

Bill 168, An Act to amend The Corporations Tax Act, 1972.

Bill 169, An Act to amend The Income Tax Act.

Bill 170, An Act to amend The Retail Sales Tax Act.

Bill 190, An Act to amend The Judicature Act.

Clerk of the House: In Her Majesty's name, the Honourable the Lieutenant Governor doth assent to these bills.

Mr. Speaker. May it please Your Honour, we, Her Majesty's most dutiful and faithful subjects of the Legislative Assembly of the province of Ontario in session assembled, approach Your Honour with sentiments of unfeigned devotion and loyalty to Her Majesty's person and government, and humbly beg to present for Your Honour's acceptance, a bill entitled An Act for granting to Her Majesty certain sums of money for the Public Service for the fiscal year ending March 31, 1977.

Clerk of the House: The Honourable the Lieutenant Governor doth thank Her Majesty's dutiful and loyal subjects, accept their benevolence and assent to this bill in Her Majesty's name.

The Honourable the Lieutenant Governor was pleased to deliver the following gracious speech:

PROROGATION SPEECH

Hon. Mrs. McGibbon: Mr. Speaker and members of the Legislative Assembly: I am pleased to address you at the close of this third session of the 30th Parliament of Ontario.

More than 80 bills have been granted royal assent during this period. Among them, the new Employees' Health and Safety Act has brought into force key recommendations of the royal commission on the health and safety of workers in mines. The provisions enacted so far included establishment within a single ministry, the Ministry of Labour, of all responsibility for occupational health and safety legislation. Further plans are in progress to extend the application of the proposals as the core of the report to include industrial safety and construction safety and to produce in a comprehensive omnibus bill an occupational health code for working men and women throughout Ontario.

New legislation was introduced in the fall to establish a fairer and firmer structure of law in dealing with matrimonial property and in providing for support in cases of marriage breakdown. These family law reforms are the culmination of years of study and consultation

based on the recommendations of the Ontario Law Reform Commission. Passage of the legislation has been postponed to allow more time for responses from interested parties and for further review.

The establishment of a commodity income stabilization programme, as provided for in the new Farm Income Stabilization Act, is a vital step in protecting the future of farming and food production.

Royal assent was given to legislation on warranty plans for new homes to protect purchasers against added cost and inconvenience caused by poor construction workmanship. These provisions take full effect at the end of this year.

To help meet the demand for housing in Ontario, the provincial housing action programme, originally scheduled to end in March, 1976, will be extended for another year. The scope of the Ontario home renewal programme, designed to help low- and moderate-income home owners, has been broadened to include rental accommodation.

The provincial rent review programme established in 1975 has been successful in stemming rapid rent increases faced by many tenants in recent years and in keeping rents in line with anti-inflation objectives.

Following the Ontario budget of April 6, a property tax reform commission was appointed, under the chairmanship of Mr. Willis Blair. Public hearings have been in progress since June and the commission is expected to report in the new year. The reforms will seek to achieve a new system of taxation based on a province-wide standard for the assessment of property, and one which Ontario's taxpayers will see as more equitable and more efficient.

New select committees of the Legislature have been appointed to investigate highway safety, transportation of goods, and corporation law, and to review reports of the Ombudsman.

The House also received the final report of the select committee on Ontario Hydro's proposed bulk power rates. At the federal-provincial energy price negotiations, Ontario put forward the position that any price increase be related to production costs and to increasing the incentive to develop and expand energy production. It was, and remains, the government's stand that energy cost increases should not be used as a means of providing additional revenues for governments at consumers' expense.

At the same time, the government of Ontario is aware of its responsibility in ensuring

that throughout the province efforts be made to conserve all forms of energy in everyday use. Ontario's energy management programme to achieve savings in all sectors of the economy is well under way.

Over the past year, potential industrial energy savings of more than \$15.6 million have been identified by the Ministry of Industry and Tourism's Energy Bus in its province-wide travels. Insulation requirements for housing to help conserve energy have been defined in the new Ontario Building Code which came into effect on April 1. Energy Conservation Week, observed from October 31 to November 6, had appreciable results in schools, businesses and municipalities throughout the province.

A new five-year agreement between Ontario and the federal government, signed March 12, ensures fulfilment of continuing obligations on Canada and the United States to improve the quality of the Great Lakes. The agreement includes provision for prior consultation between Canada and Ontario on all proposals for discussion with the United States, and places greater emphasis than before on environmental assessment and protection.

Within the province, it has been the expressed policy of the Ontario government to ensure through consultation with the public in issues of major long-term significance. The province's economic priorities and their projection to the end of the anti-inflation programme and beyond are among several such questions now facing all Ontarians.

As announced recently, the government will be inviting representatives of Ontario's labour, business, consumer, agricultural and social organizations to participate in a conference next February 10 and 11 to be entitled Partnership for Prosperity. The conference will provide a forum for discussion on the future direction of the provincial economy and the post-controls period.

The management of growth is another important question with longer-term implications. The government has taken steps to stimulate public discussion on this subject with the publication in April of eight reports relating to provincial and regional development and the pattern of future life in the province. A covering statement, Ontario's Future: Trends and Options, outlines basic elements of a broad planning strategy for the province and indicates the government's priorities.

Ontario's first Environmental Assessment Board was appointed in April to perform the essential function of reviewing assessments of

major public development projects that may have significant effects on the environment. The new board also assumed the activities of the Environmental Hearing Board under The Environmental Protection Act and The Ontario Water Resources Act.

In October, terms and conditions for the proposed development of a new integrated forest industry complex in northwestern Ontario created a framework for the most intensive environmental evaluation of this kind for any undertaking by the private sector. This review, under the provisions of The Environmental Assessment Act, 1975, will be undertaken by Mr. Justice Patrick Hartt. The scope of the inquiry will encompass the social, cultural and economic interests of northern residents. Ultimate approval of the projected enterprise will depend on proposals for a comprehensive forest management programme, satisfactory environmental safeguards and the protection of native rights. If approved, the project anticipates an investment of \$400 million and the creation of some 1,200 new jobs.

New regulations, effective April 1, established stricter eligibility criteria for general welfare assistance recipients, including a requirement to seek employment. The stipulation is intended to encourage recipients to regain a measure of self-reliance as well as to prevent abuses to the system.

On the same date, guaranteed annual income levels in Ontario were adjusted to ensure that the full benefits of federal old age security and guaranteed income supplement increases were passed on to Ontario GAINS recipients. The minimum wage in Ontario was raised on March 15 to a general rate of \$2.65 per hour, and to \$2.90 per hour for construction industry employees.

The problems of continuing inflation have been squarely challenged. The judgement of the Supreme Court of Canada in favour of the national anti-inflation programme and the subsequent legislative endorsement by members of this House for Ontario's involvement in the programme enabled the province to pursue several necessary initiatives.

The government looks to all citizens to place continued emphasis on economic pru-

dence and restraint in the larger interest of the public good. The province's preliminary budgetary plans for 1977 have been placed before the Legislature. Municipalities, school boards and government-funded bodies have been advised well in advance of levels of support that will be forthcoming in provincial transfers so that an even better job of planning ahead may be achieved for the new year.

Rounds of talks at the first ministers' level have placed renewed focus on patriation of Canada's constitution and on federal-provincial fiscal arrangements. The former issue affects all Canadians as individuals, in as much as it affects the future of Canada as a nation, and it is the view of the Ontario government that the public must have every opportunity to be fully informed as matters progress.

On the latter subject, new revenue sharing terms for the next five years, beginning April 1, 1977, were agreed on with the government of Canada in discussions in Ottawa this week.

Canadians everywhere shared in the success of the games of the 21st Olympiad in Montreal in July. Ontario played a part in staging the games by holding qualifying tournaments in several cities, and was honoured with a visit by Her Majesty Queen Elizabeth II to the sailing competitions at Kingston.

Hon. members, the record of achievement during the course of this session has been substantial. I thank you in our Sovereign's name for your loyalty in carrying out your duties, and I wish you all a safe and happy holiday season.

I now declare this session prorogued.

God bless the Queen and Canada.

Hon. Mr. Welch: Mr. Speaker and hon. members of the Legislative Assembly, it is the will and pleasure of the Honourable the Lieutenant Governor that this Legislative Assembly be prorogued, and this Legislative Assembly is accordingly prorogued.

The Honourable the Lieutenant Governor was pleased to retire from the chamber.

The House prorogued at 11:30 p.m.

APPENDIX A

(See page 5988)

Answers to questions were tabled as follows:

143. Mr. Breithaupt—Inquiry of the ministry: Would the ministry supply a list of all authorities, boards, commissions, tribunals, advisory groups and Crown corporations in Ontario? Would the ministry advise the name and address of each directing member of each of such bodies; and the ministry to which each is responsible.

Answer by the Premier (Mr. Davis):

A list of agencies to which the government appoints all or some members is available, showing the name and address of the agency, the appropriate legislation and the name of the Chairman. This list is available to the public on request from the Cabinet Office.

161. Mr. Bain—Inquiry of the ministry: Would the Minister of Energy inform the House as to the following: (1) The level of radiation (in RADS) which Ontario Hydro sees as being "acceptable"; (2) the level of radiation which Ontario Hydro sees as being "safe"; (3) the percentage of total Hydro electrical output currently being generated by nuclear power stations; (4) the percentage of total Hydro electrical output (including exports to the US) to be filled by nuclear power stations by 1980, 1990 and the year 2000; (5) the nature of the test(s) conducted by Hydro to determine the reliability of the "fail-safe" system in the CANDU reactors, and in particular whether or not an actual test has been conducted with an operative reactor; (6) a listing of each of the reactors currently operating, their current output, their projected output, the amount of radioactive wastes created in each and the disposal methods used by each?

Answer by the Minister of Energy (Mr. Timbrell):

(1) and (2) The levels of radiation which Ontario Hydro considers "acceptable" and "safe" are those prescribed in the Atomic Energy Control Regulations. For whole body radiation, the individual dose limits are: For atomic radiation workers—five rem/year; for members of the public—0.5 rem/year. The regulations prescribe dose limits in rem units not rad. For x and gamma radiation, 1 rem = 1 rad.

(3) For the first nine months of 1976, nuclear power stations generated 17 per cent of the total Ontario Hydro electrical energy generated and purchased.

(4) It is anticipated that nuclear power stations will generate 25 per cent by 1980, of the total Ontario Hydro electrical energy generated and purchased, and 57 per cent by 1990. The percentage which will be applicable to the year 2000 will depend on which capital programme is adopted for the years beyond 1995. One set of tentative forecasts indicates that this percentage might reach 72 per cent by the year 2000.

(5) All safety systems for each operating reactor are periodically tested by simulating a requirement for safety system action and observing the response of the various system components. The frequencies of individual component tests, typically range from once per day to once per year depending on demonstrated component reliability and the extent of component redundancy.

(6) The reactors operated by Ontario Hydro are listed in the following table which shows: Their current output (as a percentage of full power); their full power rating (in megawatts); the amount of irradiated fuel discharged each year at full power; the volume of radioactive waste actually produced in 1975. Radioactive material arising from the operation of nuclear reactors is classified as: Irradiated fuel, which contains more than 99 per cent of the total radioactivity produced; and, other radioactive material such as ion exchange resins used to maintain heavy water coolant purity; contaminated cleaning material; protective clothing, et cetera. Irradiated fuel is stored under water in special irradiated fuel storage bays. Other radioactive material is stored in secure, concrete, leak tight structures. These materials are retrievable and the storage structures and their surroundings are monitored regularly to ensure high integrity.

Station	Current Output —Per cent Full Power	Full Power Output —Megawatts Net	Irradiated Fuel Megagrams/year	Radioactive Waste Volume —Cubic meters in 1975
NDP	100	22.5	3	202
Douglas Point	100	206	26	463
Pickering-A	100	2056	275	1119
Bruce-A	*	3000	480 (estimate when all four units are fully opera- tional)	—

*Bruce NGS-A: The first unit to be operated (Unit 2) went critical July 27, 1976, produced electricity for the first time on September 4, 1976, and has been operated for short periods of time at power levels up to 25 per cent of full power during the "power run-up" phase of the extensive commissioning programme. In addition to producing electricity, Bruce NGS-A will supply process steam to the Bruce heavy water plants.

162. Mr. Bain—Inquiry of the ministry: Would the Minister of Energy inform the House as to whether or not there has ever been a near-miss accident in one of the operating Hydro nuclear power plants? If so, could he itemize and describe the accidents, steps taken to correct the problem and any changes in Hydro safety policy resulting from the near-misses?

Answer by the Minister of Energy:

It is assumed that the term "near miss accident" refers to any incident which potentially could have resulted in a dangerous escape of radioactivity, but which was narrowly averted by safety system or operator action. There have been no such "near miss" accidents at any nuclear facility operated by Ontario Hydro.

163. Mr. Bain—Inquiry of the ministry: Would the Minister of Energy provide the House with figures relating to the total amount of money spent by Ontario Hydro from 1970 to 1975 (by year) to promote or discuss the nuclear commitment made by Ontario Hydro? Also, in view of the final report from the select committee on Ontario Hydro and its recommendations, has the minister had any discussions with Ontario Hydro concerning the re-assessment of Hydro's nuclear commitment? If so, what are the results?

Answer by the Minister of Energy:

(1) Ontario Hydro has a strong commitment to nuclear energy and has made this commitment well known to the government and to the public. It has not, however, spent large sums of money in promoting or advertising nuclear electric generation. Ontario Hydro does not promote any particular form of energy and its current advertising programme is focussed on energy conservation and the wise use of electricity.

(2) A review of Ontario Hydro's nuclear commitment is now underway by the Royal Commission on Electric Power Planning. According to a recent motion introduced by the Minister of Energy in the House, a further review is scheduled for next fall by a select committee of the Legislature.

164. Mr. Mackenzie—Inquiry of the ministry: Would the Minister of Labour list the dust counts or any other evidence upon which the Workmen's Compensation Board bases its arguments that the sintering plant in Sudbury is more hazardous than the sintering plant in Port Colborne and qualifies, prior to 1952, for an exposure rate criteria of six months in establishing nasal cancer claims, while one year is needed in Port Colborne?

Answer by the Minister of Labour (B. Stephenson):

The Ministry of Health did some dust sampling at both Port Colborne and Copper Cliff but these were of questionable value and did not enter into the studies by Dr. Sutherland of the Ministry of Health. Dr. Sutherland based his observations on epidemiological studies in observing the number of sinus cancers and lung cancers and comparing this with the expected number of sinus and lung cancers in a population adjusted for age and sex and considerations

relating to the interval between exposure and development of cancer which appeared shorter in Copper Cliff than in Port Colborne. This subject is currently under further review.

167. Mr. Ziemba—Inquiry of the ministry: Would the Minister of Revenue indicate how many Ontario tax credits have been paid out to persons using fraudulent social insurance cards? How many have been paid in error? How many are under investigation? What pre-audit and post-audit steps are being taken to prevent recurrences?

Answer by the Minister of Revenue (Mr. Meen):

(1) According to reports received from federal authorities who are responsible for the audit of provincial income tax returns and Ontario tax credit claims, 24,000 adjustments were made to tax credit claims filed for the 1974 taxation year. For the 1973 taxation year there were 20,500 adjustments. The federal authorities have not reported how many adjustments were made specifically due to fraudulent use of social insurance numbers. Ministry of Revenue staff maintain an on-going liaison with Federal officials to evaluate audit results for the purpose of improving compliance.

(2) The results for the 1975 taxation year will not be known until sometime after March 15, 1977. For the 1973 and 1974 tax years, the results are as follows: Taxpayers adjusted (1974) 24,000, (1973) 20,500; dollar recovery (1974) \$1.5 million, (1973) \$0.7 million.

(3) The audit for the 1975 taxation year is presently under way. Some 39,000 taxpayer files have been selected for audit. Results to date are incomplete and inconclusive. Indications are that from the selected files, a large number of investigations are under way where claims are being made in identical amounts originating at the same address, for example. These show up on computer matching lists and analysis of tax returns. The number of investigations going on is not known at the present time but there is a potential of 13,000 files on this match listing. All tax returns including Ontario tax credit (OTC) claims are pre-audited and assessed prior to processing the claims for payment. The amount of pre-audit that can be done is limited because each return has to be assessed in isolation at this stage and is limited to mathematical accuracy, checking receipts where required, for example political contribution credit, cross-checking information filed with the actual tax return such as present and previous address, marital status, et cetera. After the pre-audit of returns is completed a large number of files are selected based on previously determined audit criteria. These files then become the subject of an audit investigation. The selection of files is done by computer matching of returns of the claimant, and spouse if applicable, with all other current returns filed and returns filed for previous years to identify such items as non-consistency of reported information, files bearing duplicate names or addresses, claims for the same amount of the various credits originating from what possibly may be the same source. All of those cases turned up in this manner are investigated. At the present the result of the investigative process for the 1975 taxation year are incomplete and inconclusive.

172. Mr. Godfrey—Inquiry of the ministry: What investigation is the Ministry of Health undertaking to examine the relationship between cancer mortality rates and carcinogens in water supplies?

Answer by the Minister of Health (Mr. F. S. Miller):

The Ministry of the Environment carries out a sampling programme of municipal water supplies which identifies contaminants and, when possible, measures their concentration. The results of these tests are made available to the Ministry of Health. The Ministry of Health has an ongoing programme of analysing mortality statistics by municipality. When unusual distributions are encountered an attempt is made to relate these to environmental factors including water supply.

To date, we are not aware of any carcinogens occurring in significant amounts in municipal water supplies. Chloroform has been identified in parts per billion amounts at a number of locations but has not been associated with any unusual incidents of cancer.

174. Mr. Mackenzie—Inquiry of the ministry: What were the number of charges laid for: (a) speeding; (b) careless driving; (c) driving while impaired for the months of April, May, June, July, August, September and October of 1976, on the Queen Elizabeth Highway between Hamilton and Toronto?

Answer by the Solicitor General (Mr. MacBeth):

Q.E.W. VIOLATIONS BETWEEN HAMILTON AND TORONTO

	Speeding	Careless Driving*	Impaired Driving**
April	326	17	25
May	327	19	20
June	316	30	10
July	198	38	15
August	263	34	15
September	236	41	10

	Speeding	Careless Driving
Period 4 March 25 — April 21	309	15
Period 5 April 22 — May 19	293	17
Period 6 May 20 — June 16	301	18
Period 7 June 17 — July 14	283	37
Period 8 July 15 — August 11	256	23
Period 9 August 12 — Sept. 8	226	41
Period 10 September 9 — Oct. 6		Not Available Yet

* These figures are pro-rated from the 28-day actual figures and are based upon the number of period days in a month.

** Estimated

The ministry is unable, without additional time and funds, to provide the precise answer to question No. 174. An overview of the traffic management system of the Ontario Provincial Police may explain the manner in which the answer is being provided:

In the system used by the Ontario Provincial Police, the year has been divided into 13 periods of 28 days duration. This ensures equality in time frames for comparison purposes. Each reporting location (detachment) submits copies of summary conviction tickets and court dispositions to OPP Headquarters. These are entered into the computer system by the data processing section. Simultaneously each location forwards motor vehicle collision reports to the Ministry of Transportation and Communications which are entered into their system. The force receives a tape of collision data from Transportation and Communications which is integrated by computer with OPP violation data. From this conglomerate information print-outs are extracted.

All highways are divided into key-point sectors for identifying locations. Identification codes are entered on violations, prosecutions and collisions. From this the OPP was able to extract the information requested on a 28-day cycle. October information is not yet available due to the delay in receiving collision tapes. The computer programme is not run until all data is available, obviously due to cost. To accommodate question No. 174, the force converted period information to calendar months by pro-rating based on the number of period days in a month. These figures should reasonably reflect the violations experiences in the area requested. Prior to this approach the force attempted to gather the information from the respective detachments. This was not possible at Burlington as entries retained at detachment level do not reflect key-points. This precluded identifying offence areas as being between Hamilton and Toronto or south of Hamilton.

Maintenance of the OPP computer systems is contracted to Systems Development Services, Ministry of Government Services. The development of a sub-programme to extract information from the stored data to accurately respond to the question posed is possible. However, it would require the services of a programmer for three to five days, plus computer time. The cost would range from a minimum of \$600 to approximately \$1,000. In view of this, it is hoped that the format of the answer to question 174 is satisfactory.

175. Mr. Moffatt—Inquiry of the ministry: Has the Ministry of Transportation and Communications experimented with the extensive use of closely planted rows of evergreen trees as noise barriers? If not, why not? What is the difference in cost between the present noise barriers and a maintained living tree noise barrier? What would be the effect in terms of cost of planting living evergreen trees as snow fence barriers along rural highways?

Answer by the Minister of Transportation and Communications (Mr. Snow):

Ministry of Transportation and Communications has not experimented with trees as noise barriers because the depth of even the densest and tallest (30 feet) plantings would have to be at least 50 feet to provide "significant" sound reduction, or 75 feet to provide reductions equal to those given by our 10-12 feet constructed noise barriers. Less mature (20 feet high) trees would need to be planted to very much greater depths. The results are, in any case, unreliable. To attempt to establish a dense planting of semi-mature trees on a roadside adjacent to high traffic volumes is not a realistic solution to the attenuation of noise. The horticultural risks for the survival of plant material would be too great. Using the largest size tree feasible, it would still require many years of growing time to reach the height and density to be of any benefit.

Present noise barrier costs are as follows: 10-feet height, \$4,000 per 100 feet; 12-feet height—\$5,000 per 100 feet. The design life of these barriers is 20 years and the annual maintenance is negligible. The costs of installing a planting of the required density would be extremely high, in the order of \$10,000 per 100 feet, with the end results being somewhat unreliable. Perpetual maintenance required to ensure survival is estimated at \$250 per 100 feet annually.

Snow hedge: Using the most feasible size of evergreen (two feet) the cost of installation and maintenance over the initial three year establishment period, \$6,400/lineal mile. Additional maintenance cost over the next seven years, \$6,400. Annual maintenance cost thereafter \$200 mile. Snow drifting effectiveness over first five years, nil; snow drifting effectiveness over second five years, 20 per cent to 50 per cent.

Property requirements to provide adequate space to effectively locate the snow hedge represents 40 to 50 feet in addition to the average right of way of a rural arterial highway. Snow hedge is located in rural areas and quite often adjacent to valuable agricultural land and the ministry, in the past, has been cautioned by the Ontario Federation of Agriculture about the excessive acquisition of agricultural land for highway purposes. The ministry, therefore, has adopted the policy of not purchasing additional property for snow hedge purpose except where extreme circumstances have arisen. When additional property is acquired it represents additional maintenance costs in grass mowing and weed control.

Snow fence: Supplied in 50-foot rolls by 4 feet wide. Annual cost to erect, take down and store, \$1,470/lineal mile. Snow drift effectiveness is immediate. Highway Improvement Act section 27 (8) provides for access to private property to erect and remove snow fence annually.

180. Mr. Warner—Inquiry of the ministry: What initiative will be given by the Minister of Colleges and Universities to ensure that centres for labour studies will be established in each community college which serves an industrial area? Will the minister direct the colleges, through the Council of Regents, to approach local labour organizations for the determination, development, and presentation of the appropriate courses of study? Further, would such courses be fully accredited, leading to a diploma in labour studies?

Answer by the Minister of Colleges and Universities (Mr. Parrott):

In answer to your question regarding the establishment of centres for labour studies in the community colleges, I feel I should draw your attention to the following points:

As you are well aware, it has not been our practice to impose programmes on any of our colleges. We expect colleges to propose programmes in response to expressed local community needs. With this in mind, a sincere effort has been made to ensure that the various interests are represented on the college boards of governors and the Council of Regents. Since labour is represented on these bodies, I would hope that they would make their needs known and that programme proposals from the colleges would be made accordingly. I might add that Mr. Pilkey, the newly elected president of the Ontario Federation of Labour, is a member of the board of governors, Durham College.

Further, I have advised the Council of Regents and the newly created Industrial Training Council of the concerns expressed by the Ontario Federation of Labour relating to labour studies in our colleges and requested comments and advice from them. In addition, our programme resources branch has been in contact with Mr. G. Murtagh, Education Director, OFL, and a member of the Industrial Training Council, regarding appropriate programmes and courses. Naturally, should a need for diploma courses be demonstrated, I would expect such to be established.

181. Mr. Nixon—Inquiry of the ministry: What proportion of the old Ontario Hydro building on University Avenue remains in use? Is the building to be rented? If so, to whom, and at what rates? What is the cost of maintaining it?

Answer by the Minister of Energy:

The building is empty and remains out of service. The property was offered for sale last summer and two tenders were received, but neither were considered acceptable. Other options including renovation and subleasing are being investigated. Excluding taxes, which are expected to be rebated, the annual maintenance cost is approximately \$150,000.

183. Mr. Nixon—Inquiry of the ministry: What proportion of the Ontario government office buildings at 434 and 454 University Avenue is in use? What plans exist for the use or sale of the property? What is the cost of maintaining them?

Answer by the Minister of Government Services (Mrs. Scrivener):

Approximately 3,000 square feet of usable space at 434 and 454 University Avenue is presently in use. It is planned to demolish both of these existing buildings, which are outdated and uneconomical, and to construct a new building on the site for government use. The cost of maintaining these two buildings for the past year was \$69,500.

184. Mr. Bain—Inquiry of the ministry: Would the Minister of Labour consider directing the Workmen's Compensation Board to make regulations under sections 68(1) and 78 of The Workmen's Compensation Act to allow a claimant or his/her designated agent complete access to the information in his/her file for the purposes of the claim?

Answer by the Minister of Labour (B. Stephenson):

Section 99 of The Workmen's Compensation Act provides that medical reports submitted to the board are deemed privileged communications of the persons making them and complete access may not be given. The board has developed a system of providing summaries of information, including the pertinent segments of medical reports as an acceptable substitute for access. The employee is advised in writing of this right and I know of no employee whose entitlement under the Act has been prejudiced by lack of complete access. I believe that where an employee wishes full access to the contents of medical reports, such reports should be disclosed only by the attending doctor to provide a full understanding. Since the Board is currently reviewing its appeal process I cannot recommend changes at this time.

185. Mr. Bain—Inquiry of the ministry: Would the Minister of Labour inform the House as to the following: Section 42(7) of the Workmen's Compensation Act provides that a 100 per cent award for permanent disability may be transferred into a pension on the death of the recipient as if the death "had resulted" from the compensable disability. What criteria does the board use to determine, for this and other sections of the Act, if death "had resulted from the injury", for example, is it on a balance of probabilities, beyond a reasonable doubt, in the absence of any other medical explanation, et cetera?

Answer by the Minister of Labour:

Section 42(7) does not transfer a permanent disability pension into a dependency pension; it creates a right to the same dependency pensions under the provisions of Section 36 that are provided for workmen whose deaths result from occupational injuries or disease. Section 42(7) does not require the kind of criteria referred to since the cause of death is not a factor. If the workman was in receipt of a pension for permanent total disability at 100 per cent and died of any cause, his dependants are entitled to benefits under Section 36.

186. Mr. Bain—Inquiry of the ministry: Further to the Minister of Labour's answer to question No. 151 that "claims are not disqualified on grounds that an industrial disease is not disabling," would the minister inform the House of the purpose of section 118(1) of The Workmen's Compensation Act which says in part: "Where an employee suffers from an industrial disease and is thereby disabled . . . the employee . . . entitled to compensation".

Answer by the Minister of Labour:

Prior to January 1, 1974, section 118(1) of The Workmen's Compensation Act read: "Where a workman suffers from an industrial disease and is thereby disabled from earning full wages at the work at which he was employed . . ."

This wording required not only the diagnosis of a condition which was potentially disabling and for which the board could estimate the impairment of earning capacity, but also that the disability should be in fact disabling to the extent that a change of employment and wage loss resulted. Without such evidence of wage loss and change in employment a claim could not be allowed for a permanent disability award but only for medical aid rendered. The January 1, 1974, amendment removed the requirement that the condition be demonstrably disabling as evidenced by wage loss and change in employment by the removal of the words, "from earning full wages at the work at which he was employed". This enabled compensation payments to be made even though the workman was not disabled from his regular employment or suffering wage loss. The purpose of the change in wording was to facilitate the payment of permanent disability awards for an industrial disease on the same basis as for injuries under Section 42.

187. Mr. Bain—Inquiry of the ministry: Would the Minister of Labour direct the Workmen's Compensation Board to review their files from July 1, 1974 to the present date in order to find the following information: the average percentage decrease/increase in the amount granted to the spouse of a recipient of workmen's compensation when a disability allowance is transferred to become a pension.

Answer by the Minister of Labour:

There are no cases in which the dependancy pension will be more than the permanent disability pension because of the provisions of section 43(c) which stipulate that compensation for permanent total disability cannot be less than the potential dependancy pension. Any cases in which the dependancy pension is less than the permanent total disability pension previously paid result from the number of dependants eligible and the statutory provisions of section 36. Dependants whose entitlement flows from section 42(7) are compensated under the provisions of section 36 on exactly the same basis as dependants of workmen whose deaths result directly from industrial accident or disease. In essence, all dependancy awards are paid under section 36 and there are no differences in entitlement between dependants based on the cause of death. It would not appear that the calculation of the average reduction in these cases would have statistical significance and it would not warrant the unreasonable amount of staff work and expense that such a survey would require.

188. Mr. Bain—Inquiry of the ministry: Would the Minister of Labour direct the Workmen's Compensation Board to compile and provide to the House periodically the following information: (i) The number of cases wherein the spouse of a recipient of an award was denied a pension on the death of the recipient under section 42(7) of The Workmen's Compensation Act; (ii) the number of cases wherein a recipient was receiving a 100 per cent disability allowance and on his/her death the spouse was granted a pension; (iii) the number of cases wherein the spouse of a recipient was granted a pension on his/her death due to the fact that the compensable injury was deemed to be the "cause" of death.

Answer by the Minister of Labour:

I have requested the Workmen's Compensation Board to make provision in its current statistical planning for such information to be available in the future.

189. Mr. Godfrey—Inquiry of the ministry: Can the Minister of Health assure the House that there will be sufficient intern posts for all graduates of our medical schools in the coming years?

Answer by the Minister of Health (Mr. F. S. Miller):

The brief answer to this question is yes. It is an objective of our planning to ensure that there will be sufficient pre-licensure internship posts to enable graduates of Ontario medical schools to become qualified physicians. In 1976, there were 582 graduates of Ontario schools, and 698 positions in Ontario. For all of Canada there were 1,768 graduates and 1,971 positions. There is thus an apparent surplus of about 100 posts for Ontario and of about 200 posts for Canada overall.

By 1980 it is possible that the number of Canadian graduates will have increased, and the number of approved positions funded by government will have diminished slightly, so that the present apparent surplus of posts relative to Canadian graduates will be diminished. The situation will be watched and managed carefully on an annual basis, with the cooperation of the provinces.

The real situation is greatly complicated by migration. In any given year, 15 to 20 per cent of the graduating class may not intern in Canada. However, there are Canadian citizens graduating from medical schools abroad, and graduates of foreign medical schools who are now citizens or landed immigrants, who require internship posts and experience before they can be licensed to practice in Ontario. No one knows the precise number, but there are probably several hundred graduates, not from Canadian schools, who seek positions. This situation has arisen despite the fact that Ontario has had restrictions on the immigration of physicians, and physicians coming as nominated relatives have been advised of the oversupply situation. The responsibility of government to provide entry routes into medical practice for these individuals is far from clear, but is being studied. However, it is a policy objective in Ontario to ensure that there will be sufficient intern posts for graduates of our medical schools in the coming years.

198. Mr. Breaugh—Inquiry of the ministry: How does the Treasurer intend to handle those employees who were covered by the OMERS Supplementary Type I Plan, where those employees under this plan received benefits equal to the amendments proposed to the OMERS benefits and where the contributions were paid for entirely by the employer?

Answer by the Treasurer (Mr. McKeough):

The Ontario Municipal Employees Retirement Board has suggested the inclusion of a two-year "phase-in" period following the introduction of the proposed improvements to the basic OMERS benefits for employees presently covered under an OMERS Supplementary Type I Plan. During this period the employee contributions may remain at the existing rates stipulated in a collective agreement with the employer making up the balance of the increase in employee contribution rates as well as the increased employer contribution rate that will be required on January 1, 1978. This "phase-in" period will allow these employees extra time to negotiate with the employer for their appropriate share of any savings the employer will realize from reduced employer contributions after January 1, 1978 when the future service portion of the OMERS Supplementary Type I Plan is replaced by the improved basic OMERS benefits. This approach will maintain the current practice of supplementary plan contributions being negotiable under the collective bargaining process and the basic OMERS contributions being fixed for all employees and employers under the OMERS legislation.

67. Mr. McClellan—Inquiry of the ministry: 1. (a) Since January 1, 1972, what contracts were let and to which firms by the Ministry of Government Services for maintenance and cleaning services in: (i) Ottawa, (ii) Toronto, (iii) Hamilton, (iv) London, (v) Windsor, (vi) Timmins, (vii) Sudbury, and (viii) Thunder Bay; (b) what was the value and duration of each and the wage rates paid under the contracts. 2. Who are the principal owners of the firms. 3. (a) What is the complement of Ontario government cleaning and maintenance staff with permanent civil service status for each of the years 1972-73, 1973-74, 1974-75; (b) what were the salary scales paid for each of those years?

Answer by the Minister of Government Services (Mrs. Scrivener):

Definitions: To ensure that all information was compiled on the same basis, terms used in the question were defined as follows: "Maintenance and cleaning services", interior janitorial services; "Toronto", Municipality of Metropolitan Toronto; "value": 1. Where the contract ended prior to May 1, 1976 the amount shown (and underlined) is the amount paid to the contractor with reference to that contract; 2. where the contract ended, or will end, subsequent to April 30, 1976 the amount shown is the value of the contract as awarded; "duration": 1. Where the contract ended prior to May 1, 1976 the period shown is the actual period worked by the contractor (* indicates that the contractor worked less than the full contract term); 2. where the contract ended, or will end, subsequent to April 30, 1976 the period shown is the term of the contract as awarded (except * indicates that the contractor worked less than the full contract term, and was paid for the work performed; the period shown in this case is the actual period worked by the contractor); "complement of Ontario government cleaning and maintenance staff with permanent civil service status", complement of janitorial staff, employed by all ministries as of December 31 in each of the fiscal years 1972/73, 1973/74 and 1974/75, with regular civil service status; "salary scales paid for each of those years", the salary scales, as of December 31, paid to janitorial staff in each of the fiscal years 1972/73, 1973/74 and 1974/75; "time period for reporting for Part 1 (a)", January 1, 1972, to April 30, 1976.

Note: Information re agencies, boards and commissions is not included in these answers.

1 (a) and (b)—first portion:

(i) Ottawa

Company's Name	Value	Duration
AVS Building Cleaners	\$ 21,000.00	July 1, 1973 to June 30, 1975
Crown Building Cleaners	39,999.84	July 1, 1973 to June 30, 1975
El Greco Building Cleaners	16,437.96	July 1, 1972 to June 30, 1973
Venetia Building Cleaners	12,890.00	April 21, 1972 to April 20, 1974
Venetia Building Cleaners	8,449.89	April 1, 1973 to March 31, 1975
Venetia Building Cleaners	14,000.00	April 21, 1974 to April 30, 1976
Venetia Building Cleaners	15,000.00	April 1, 1975 to March 31, 1977
Venetia Building Cleaners	39,900.00	July 1, 1975 to June 30, 1977
Venetia Building Cleaners	25,200.00	July 1, 1975 to June 30, 1977

(ii) (Metropolitan) Toronto

Company's Name	Value	Duration
AA-One Maintenance Company	\$ 64,464.00	April 1, 1973 to March 31, 1975
AA-One Maintenance Company	54,600.00	May 3, 1973 to February 14, 1975
AA-One Maintenance Company	7,040.00	February 11, 1974 to October 31, 1975
AA-One Maintenance Company	48,695.00	March 1, 1974 to March 31, 1975
AA-One Maintenance Company	3,000.00	March 21, 1974 to June 13, 1975
AA-One Maintenance Company	93,720.00	June 17, 1974 to June 16, 1976
AA-One Maintenance Company	33,600.00	June 27, 1975 to June 26, 1977
AA-One Maintenance Company	84,000.00	November 3, 1975 to November 2, 1977
Abbott Floor Services Company Ltd.	2,952.00	April 1, 1973 to March 31, 1974
Abbott Floor Services Company Ltd.	492.00	April 1, 1974 to May 31, 1974
Abbott Floor Services Company Ltd.	2,460.00	June 1, 1974 to March 31, 1975
Abbott Floor Services Company Ltd.	2,952.00	April 1, 1975 to March 31, 1976
Abbott Floor Services Company Ltd.	2,952.00	April 1, 1976 to March 31, 1977
Allied Building Services of Ontario Limited	103,255.00	August 7, 1973 to August 6, 1975
Allied Building Services of Ontario Limited	186,151.43	November 1, 1973 to October 31, 1975
BB Cleaners	100.00	April 1, 1974 to August 31, 1974

Company's Name	Value	Duration
BB Cleaners	375.00	*October 1, 1974 to January 31, 1976
Cadillac-Fairview Corp.	1,026.78	March 1, 1975 to July 31, 1975
Cadillac-Fairview Corp.	2,710.08	June 1, 1975 to May 31, 1976
Central Building Maintenance	9,000.00	*April 26, 1976 to July 4, 1976
Concorde Maintenance Ltd.	37,516.66	*April 1, 1973 to February 28, 1974
Consolidated Maintenance Services Ltd.	138,419.24	April 11, 1973 to April 10, 1975
Consolidated Maintenance Services Ltd.	1,674,900.00	October 6, 1975 to October 5, 1977
D. and H. Cleaners	120.00	October 1, 1973 to March 31, 1974
David Floor Cleaning	4,288.00	April 1, 1973 to October 31, 1975
David Floor Cleaning	285.00	November 1, 1975 to November 30, 1975
David Floor Cleaning	1,140.00	November 1, 1975 to February 28, 1976
David Floor Cleaning	285.00	December 1, 1975 to December 31, 1975
David Floor Cleaning	285.00	January 1, 1976 to January 31, 1976
David Floor Cleaning	285.00	February 1, 1976 to February 28, 1976
Dencare Building Company	76,900.00	June 10, 1974 to June 9, 1976
Dencare Building Company	139,867.00	April 11, 1975 to April 10, 1977
Domenic Janitor Services Company Limited ..	2,590.00	February 20, 1976 to February 28, 1977
Domenic Janitor Services Company Limited ..	506.67	February 20, 1976 to July 31, 1976
East-West Maintenance	2,400.00	October 30, 1974 to October 30, 1976
Hans Engel and Company	1,333.16	April 1, 1973 to March 31, 1974
Hans Engel and Company	1,388.99	April 1, 1974 to March 31, 1975
Hans Engel and Company	1,430.18	April 1, 1975 to February 29, 1976
Hans Engel and Company	1,885.00	March 1, 1976 to March 31, 1977
Executive Office Cleaning and Maintenance Company of Canada	61,475.43	February 12, 1973 to February 11, 1975
Executive Office Cleaning and Maintenance Company of Canada	66,360.00	March 10, 1975 to March 9, 1977
Arnold Finkler Industrial	8,635.00	April 1, 1973 to March 31, 1974
Arnold Finkler Industrial	17,662.50	April 1, 1974 to September 30, 1975

Company's Name	Value	Duration
Arnold Finkler Industrial	14,130.00	October 1, 1975 to September 30, 1976
Floorex Janitorial Services	47,995.00	June 16, 1975 to June 15, 1977
Floorex Janitorial Services	95,000.00	August 1, 1975 to July 31, 1977
Floorex Janitorial Services	93,000.00	August 7, 1975 to August 6, 1977
Floorex Janitorial Services	15,832.00	*September 2, 1975 to December 31, 1975
Fox Maintenance Services	49,987.00	*August 1, 1972 to June 7, 1974
Fox Maintenance Services	5,395.00	February 15, 1973 to May 2, 1973
Hygiene Products Limited	68,598.46	August 3, 1973 to August 2, 1975
Hygiene Products Limited	6,500.00	May 15, 1974 to May 14, 1976
Hygiene Products Limited	45,559.00	June 15, 1973 to June 15, 1975
Iberclean Maintenance Company	35,957.98	*June 27, 1975 to January 2, 1976
ITT (Previously known as Allied Building Services)	215,976.00	November 3, 1975 to November 2, 1977
Lewis Janitorial Service	70.00	February 1, 1976 to March 31, 1976
Lewis Janitorial Service	420.00	April 1, 1976 to March 31, 1977
MacM Janitorial Services	42,232.50	April 1, 1972 to March 31, 1974
Gordon A. MacEachern Ltd.	42,485.79	*June 12, 1972 to October 31, 1973
Mars Janitorial Services	22,440.00	October 21, 1974 to October 20, 1976
Modern Building Cleaning, Division of Dustbane Enterprises Limited	995,213.31	April 1, 1973 to March 31, 1975
Modern Building Cleaning, Division of Dustbane Enterprises Limited	5,000.00	February 1, 1973 to February 28, 1975
Modern Building Cleaning, Division of Dustanbe Enterprises Limited	12,684.00	September 1, 1973 to December 31, 1973
Modern Building Cleaning, Division of Dustbane Enterprises Limited	22,197.00	January 1, 1974 to July 31, 1974
Modern Building Cleaning, Division of Dustbane Enterprises Limited	39,732.00	August 1, 1974 to July 31, 1975
Modern Building Cleaning, Division of Dustbane Enterprises Limited	340,619.62	*April 1, 1975 to October 3, 1975
Modern Building Cleaning, Division of Dustbane Enterprises Limited	5,008.80	November 1, 1975 to October 31, 1976
National Building Maintenance	95,880.00	January 2, 1976 to December 31, 1977
Nationwide Maintenance Company	49,519.70	February 8, 1974 to March 8, 1976

Company's Name	Value	Duration
New Life Building Maintenance of Canada	78,000.00	February 15, 1975 to February 14, 1977
New Life Building Maintenance of Canada	75,000.00	September 2, 1975 to September 1, 1977
New Life Building Maintenance of Canada	18,230.88	*December 1, 1975 to April 23, 1976
New Life Building Maintenance of Canada	45,000.00	March 9, 1976 to March 8, 1978
NSN Maintenance Services	NIL	*August 5, 1975 to August 8, 1975
Olympia Cleaners and Maintenance Services	38,500.00	January 8, 1972 to February 7, 1974
Olympia Cleaners and Maintenance Services	14,000.00	January 15, 1973 to January 14, 1975
Olympia Cleaners and Maintenance Services	24,000.00	August 16, 1973 to August 17, 1975
Olympia Cleaners and Maintenance Services	5,100.00	November 1, 1973 to October 31, 1975
Olympia Cleaners and Maintenance Services	63,553.37	April 1, 1974 to March 31, 1976
Olympia Cleaners and Maintenance Services	28,000.00	January 15, 1975 to January 14, 1977
Olympia Cleaners and Maintenance Services	60,000.00	April 1, 1976 to March 31, 1978
Royal City Janitorial Services	24,000.00	August 18, 1975 to August 17, 1977
Royal City Janitorial Service	135,000.00	January 5, 1976 to January 4, 1978
Sams Building Maintenance Company	15,916.47	*July 14, 1975 to November 30, 1975
Scott Young Limited	17,638.00	April 23, 1975 to April 22, 1977
Robert Shearer	200.00	April 1, 1973 to May 31, 1973
Robert Shearer	1,835.04	June 1, 1973 to January 31, 1975
Robert Shearer	1,380.00	February 1, 1975 to March 31, 1976
Robert Shearer	1,200.00	April 1, 1976 to March 31, 1977
Super Maintenance Service	14,140.00	September 1, 1972 to October 20, 1974
Supreme Building Maintenance	2,660.00	April 1, 1973 to April 30, 1974
Supreme Building Maintenance	2,400.00	April 1, 1973 to November 30, 1973
The Great Maintenance Cleaning Company ..	60,000.00	April 1, 1976 to March 31, 1978
University Janitorial and Maintenance	87,656.00	April 1, 1975 to March 31, 1977
Windsor Building Maintenance Ltd.	8,167.00	November 3, 1975 to November 2, 1977
Windsor Building Maintenance Ltd.	70,668.00	March 15, 1974 to March 15, 1976

Company's Name	Value	Duration
Windsor Building Maintenance Ltd.	1,472.25	March 16, 1976 to March 31, 1976
York Services	924.00	April 1, 1973 to March 31, 1974
York Services	1,331.48	April 1, 1973 to March 31, 1974
York Services	1,080.00	April 1, 1973 to March 31, 1974
York Services	1,320.00	April 1, 1974 to March 31, 1975
York Services	1,140.00	April 1, 1974 to March 31, 1975
York Services	3,240.00	April 1, 1974 to March 31, 1977
York Services	1,375.00	April 1, 1975 to March 31, 1976
York Services	1,380.00	April 1, 1976 to March 31, 1977
York Services	1,195.00	April 1, 1975 to March 31, 1976
York Services	1,200.00	April 1, 1976 to March 31, 1977

(iii) Hamilton

Company's Name	Value	Duration
Maintenance Services	4,800.00	April 1, 1976 to March 31, 1978
Mountain Janitor Service	2,100.00	April 1, 1973 to March 31, 1974
Mountain Janitor Service	2,340.00	April 1, 1974 to March 31, 1975
Mountain Janitor Service	2,340.00	April 1, 1975 to March 31, 1976

(iv) London

Company's Name	Value	Duration
Crown Building Maintenance	4,800.00	September 15, 1975 to September 14, 1977
DG Cleaners	6,946.75	October 29, 1973 to October 28, 1975
Modern Building Cleaning, Division of Dustbane Enterprises Limited	4,182.00	October 28, 1975
Modern Building Cleaning, Division of Dustbane Enterprises Limited	804.00	July 1, 1972 to June 30, 1973
Modern Building Cleaning, Division of Dustbane Enterprises Limited	794.00	July 1, 1973 to August 31, 1973
Modern Building Cleaning, Division of Dustbane Enterprises Limited	414,347.00	September 1, 1973 to October 26, 1973
Peterman Building Maintenance	93,462.00	July 15, 1974 to July 14, 1976
		October 1, 1975 to October 1, 1977

(v) Windsor

Company's Name	Value	Duration
Ambassador Building Maintenance Limited ..	23,760.00	June 1, 1973 to May 31, 1975
Ambassador Building Maintenance Limited ..	2,958.51	June 1, 1975 to July 31, 1975
FPS Janitorial	21,552.00	June 1, 1971 to May 31, 1973
Happy Floors	9,332.23	*August 1, 1975 to April 15, 1976
Portuguese Building Maintenance	33,000.00	April 19, 1976 to April 18, 1978

(vi) Timmins

Company's Name	Value	Duration
Stanley Badiuk	330.00	April 1, 1973 to June 30, 1973
Stanley Badiuk	990.00	July 1, 1973 to March 31, 1974
Stanley Badiuk	2,400.00	April 1, 1975 to March 31, 1977
Mary Cunik	198.00	April 1, 1973 to June 30, 1973
Mary Cunik	594.00	July 1, 1973 to March 31, 1974
Mary Cunik	198.00	April 1, 1974 to June 30, 1974
Mary Cunik	743.75	*July 1, 1974 to March 21, 1975
Gino Giunta	300.00	January 1, 1975 to March 31, 1975
Mrs. G. Hautanen	900.00	April 1, 1975 to December 31, 1975
Quality Maintenance Company	900.00	*April 1, 1974 to December 31, 1974

(vii) Sudbury

Company's Name	Value	Duration
A.D. Cleaners	240.00	April 1, 1975 to May 31, 1975
C. and J. Maintenance Company	2,400.00	June 2, 1975 to May 31, 1977
Erickson Janitorial Services	600.00	April 1, 1976 to March 31, 1977
Marians Janitorial Services	1,820.00	March 8, 1976 to March 7, 1978
H. A. Perigord Company	315.00	October 9, 1973 to March 31, 1974
H. A. Perigord Company	275.00	December 15, 1975 to February 13, 1976
Reliable Window Cleaners	7,080.00	March 10, 1975 to February 10, 1977
Universal Industrial Cleaners	1,905.60	April 1, 1974 to March 31, 1976

(viii) Thunder Bay

Company's Name	Value	Duration
Astra Interior Cleaning	<u>1,700.00</u>	November 10, 1973 to July 30, 1974
Astra Interior Cleaning	2,500.00	June 5, 1974 to June 30, 1976
Astra Interior Cleaning	2,403.50	July 12, 1974 to June 30, 1976
Astra Interior Cleaning	<u>4,848.00</u>	May 1, 1975 to April 30, 1976
Donald Close	<u>480.00</u>	June 6, 1975 to September 6, 1975
Kings Northern Interior Cleaning Ltd.	<u>42,588.00</u>	April 24, 1972 to May 31, 1974
Kings Northern Interior Cleaning Ltd.	49,968.00	June 3, 1974 to June 3, 1976
Kings Northern Interior Cleaning Ltd.	18,000.00	August 1, 1974 to November 30, 1976
Kings Northern Interior Cleaning Ltd.	4,400.00	February 1, 1975 to January 31, 1977
Lakehead Interior Cleaning Limited	<u>540.00</u>	August 1, 1973 to July 31, 1974
Lakehead Interior Cleaning Limited	<u>630.00</u>	August 1, 1974 to September 30, 1975
Lakehead Interior Cleaning Limited	840.00	October 1, 1975 to September 30, 1976
Gordon A. MacEachern Limited	<u>5,200.00</u>	November 16, 1973 to November 30, 1975
Gordon A. MacEachern Limited	<u>10,480.00</u>	January 4, 1975 to April 23, 1975
Gordon A. MacEachern Limited	34,800.00	March 1, 1976 to February 28, 1978
Gordon A. MacEachern Limited	106,488.00	April 24, 1975 to April 23, 1977
Gordon A. MacEachern Limited	12,840.00	May 1, 1976 to April 30, 1978
Gordon A. MacEachern Limited	11,040.00	July 1, 1975 to June 30, 1977
Nu-Mode Interior Cleaning Limited	<u>8,800.00</u>	February 18, 1974 to June 30, 1975
Stan's Cleaning Service	5,232.00	December 1, 1975 to November 30, 1977

1 (b), second portion: The wage rates paid by the contractors listed are not known since they were not requested in the tender documents, but all specifications for these contracts required the payment of at least the Ontario minimum wage and, since late 1975, for work tendered in Metropolitan Toronto, the payment of at least the fair wage rates as established by the Ontario Ministry of Labour and stated in the tender documents.

2: The information was not requested in the tender documents for the contracts listed.

3 (a): The complement of janitorial employees with regular civil service status at December 31 in these fiscal years was: as of December 31, 1972, 1,984; as of December 31, 1973, 2,052; as of December 31, 1974, 2,146.

3 (b): What were the salary scales paid for each of those years? The salary rates per hour paid to regular civil service janitorial staff as at December 31 of each of the fiscal years 1972/73, 1973/74, and 1974/75 were:—

Classification	1972/73		1973/74		1974/75	
	Min. (\$)	Max. (\$)	Min. (\$)	Max. (\$)	Min. (\$)	Max. (\$)
Buildings Cleaner 1	2.42	2.52	2.64	2.74	2.82	2.92
Buildings Cleaner 2	2.96	3.08	3.18	3.30	3.36	3.48
Cleaner Office Bldgs.	2.52	2.52	2.74	2.74	2.92	2.92
Bldgs. C & H 1	2.94	3.06	3.34	3.46	3.52	3.65
Bldgs. C & H 2	3.20	3.33	3.42	3.55	3.60	3.75
Bldgs. C & H 3	3.23	3.48	3.46	3.73	3.63	3.91
Bldgs. C & H 4	3.91	4.24	4.19	4.53	4.40	4.76
Bldgs. Caretaker 1	3.08	3.20	3.30	3.42	3.48	3.60
Bldgs. Caretaker 2	3.20	3.33	3.42	3.55	3.60	3.73
Bldgs. Caretaker 3	3.23	3.48	3.46	3.73	3.62	3.91
Bldgs. Caretaker 4	3.48	3.77	3.73	4.03	3.91	4.23
Bldgs. Caretaker 6	4.76	5.15	5.10	5.51	5.35	5.79
Security Officer 1 (Watchman Cleaner)	3.08	3.20	3.30	3.42	3.48	3.60

96. Mr. Lupusella—Inquiry of the ministry: 1. Since January 1, 1972, what contracts were let and to which firms by the Ministry of Government Services for maintenance and cleaning services in the province of Ontario? 2. What was the value and duration of each and the wage rates paid under the contracts? 3. Who are the principal owners of each of the firms. 4. In which buildings in which places are cleaning and maintenance personnel directly hired by the government? For each building, where cleaning and maintenance personnel are directly hired by the Ontario government, what is the (a) total personnel cost, (b) cost of cleaning and maintenance materials (supplies), (c) hourly wage rate for each category of cleaner or maintenance person? With reference to (b): Are these directly purchased by government, or contracted purchase? If contract, from where? 5. Which of the firms listed in number one above have received or are currently receiving some form of government grant: how much is each grant; and for what purpose was it granted? 6. What has been the total cost of advertising by the Ministry of Government Services of tender calls for the purpose of letting all cleaning service and maintenance contracts through the province of Ontario in the fiscal years: (a) 1969-1970. (b) 1970-1971. (c) 1971-1972. (d) 1972-1973. (e) 1973-1974. (f) 1974-1975. (g) 1975-1976?

Answer by the Minister of Government Services (Mrs. Scrivener):

Definitions: To ensure that all information was compiled on the same basis, terms used in the questions were defined as follows:

- “Maintenance and Cleaning Services” — Interior janitorial services
- “Value” — 1. Where the contract ended prior to May 1, 1976 the amount shown (and underlined) is the amount paid to the contractor with reference to that contract.
- 2. Where the contract ended, or will end, subsequent to April 30, 1976 the amount shown is the value of the contract as awarded.
- “Duration” — 1. Where the contract ended prior to May 1, 1976 the period shown is the actual period worked by the contractor (* indicates that the contractor worked less than the full contract term).
- 2. Where the contract ended, or will end, subsequent to April 30, 1976 the period shown is the term of the contract as awarded (except * indicates that the contractor worked less than the full contract term, and was paid for the work performed; the period shown in this case is the actual period worked by the contractor).

“Time Period for Reporting for Part 1” — January 1, 1972 to April 30, 1976

Note: Information re agencies, boards and commissions is not included in these answers.

The answers to parts 1 and 2 (first portion) are as follows:

Location and Company's Name	Value	Duration
Ajax		
Gord's Janitorial Service	\$ 3,360.00	December 1, 1974 to November 30, 1976
Alexandria		
Mr. Bernard Charlebois	\$ 1,440.00	July 1, 1972 to June 30, 1973
Mr. Bernard Charlebois	240.00	July 1, 1973 to August 31, 1973
Mr. Bernard Charlebois	1,440.00	September 1, 1973 to August 31, 1974
Mr. Bernard Charlebois	1,440.00	September 1, 1974 to August 31, 1975
Mr. Bernard Charlebois	5,280.00	September 1, 1975 to August 31, 1977
Almonte		
Mary Emon	1,200.00	April 1, 1974 to March 31, 1975
Mary Emon	1,200.00	April 1, 1975 to March 31, 1976
Mary Emon	1,200.00	April 1, 1976 to March 31, 1977
Amherstburg		
Professional Janitorial Services	9,480.00	January 1, 1976 to December 31, 1978
Windsor Janitorial Limited	958.00	October 11, 1973 to November 30, 1973
Windsor Janitorial Limited	504.00	December 1, 1973 to December 31, 1973
Windsor Janitorial Limited	10,399.92	January 1, 1974 to December 31, 1975
Windsor Janitorial Limited	560.00	November 1, 1974 to December 31, 1975
Arthur		
Howard White	2,088.00	April 1, 1974 to March 31, 1975
Howard White	2,088.00	April 1, 1975 to March 31, 1976
Howard White	4,680.00	April 1, 1976 to March 31, 1978
Atikokan		
R. Thorson	1,920.00	October 1, 1974 to September 30, 1976

Location and Company's Name	Value	Duration
Aurora		
Don Glass Building Maintenance	<u>900.00</u>	April 1, 1973 to March 31, 1974
Don Glass Building Maintenance	<u>1,080.00</u>	April 1, 1974 to March 31, 1975
Don Glass Building Maintenance	<u>1,200.00</u>	April 1, 1975 to March 31, 1976
Don Glass Building Maintenance	<u>1,500.00</u>	April 1, 1976 to March 31, 1977
Bancroft		
Henry G. Hyland	<u>17,000.00</u>	June 1, 1975 to May 31, 1977
Barrie		
Barrie Window Cleaners Ltd.	<u>27,594.26</u>	March 1, 1975 to February 29, 1976
Centre Simcoe Erectors Limited	<u>29,960.00</u>	March 1, 1976 to March 31, 1977
D. M. Lowe	<u>600.00</u>	*April 1, 1973 to February 28, 1974
Strong's Cleaning Service	<u>10,923.96</u>	March 1, 1974 to February 28, 1975
Strong's Cleaning Service	<u>1,192.90</u>	August 1, 1974 to September 30, 1974
Strong's Cleaning Service	<u>12,808.00</u>	*August 19, 1974 to February 28, 1975
Strong's Cleaning Service	<u>650.00</u>	June 17, 1976 to August 16, 1976
Belleville		
Hunt Brothers	<u>435.00</u>	April 1, 1972 to June 30, 1973
Hunt Brothers	<u>2,404.50</u>	July 1, 1973 to June 1, 1975
Hunt Brothers	<u>50.00</u>	June 2, 1975 to June 30, 1975
Lyle La Brash and Son	<u>2,400.00</u>	July 1, 1975 to June 30, 1977
Bracebridge		
Mrs. Betty Close	<u>1,020.00</u>	April 1, 1973 to March 31, 1974
R. & F. Industrial Maintenance	<u>630.00</u>	*April 1, 1974 to October 28, 1974
Bradford		
All-Round Building Maintenance	<u>6,324.00</u>	August 1, 1973 to March 31, 1975
Don Glass Building Maintenance	<u>200.00</u>	January 1, 1976 to January 31, 1976
Don Glass Building Maintenance	<u>800.00</u>	February 1, 1976 to March 31, 1976

Location and Company's Name	Value	Duration
Floorman Calling Service	2,400.00	April 1, 1976 to March 31, 1977
Windmill Cleaning Service	1,740.00	* April 1, 1975 to December 31, 1975
Windmill Cleaning Service	100.00	January 1, 1976 to January 31, 1976
Brampton		
Ajax Maintenance Service	800.00	March 1, 1973 to April 30, 1973
Ajax Maintenance Service	1,080.00	April 1, 1973 to March 31, 1974
Ajax Maintenance Service	1,080.00	April 1, 1974 to March 31, 1975
Ajax Maintenance Service	1,080.00	April 1, 1975 to March 31, 1976
Ajax Maintenance Service	2,400.00	April 1, 1976 to March 31, 1978
Canadian Dust Control	229.50	March 1, 1972 to March 31, 1973
Canadian Dust Control	543.00	April 1, 1973 to June 1, 1975
Hygiene Products Limited	15,204.00	August 1, 1974 to July 31, 1976
Hygiene Products Limited	30,384.00	December 2, 1974 to December 1, 1976
Work Wear Corporation	756.00	June 2, 1975 to June 1, 1977
Brantford		
Hi-Lite Maintenance	4,811.16	December 1, 1973 to December 31, 1975
Hi-Lite Maintenance	3,108.00	January 1, 1976 to December 31, 1976
Ontario Janitor Service	570.00	* April 1, 1973 to September 30, 1973
Systematic Sanitation Services	260.00	October 1, 1973 to November 30, 1973
Brockville		
Apex Building Maintenance	3,120.00	April 1, 1973 to March 31, 1974
Apex Building Maintenance	3,120.00	April 1, 1974 to March 31, 1975
Apex Building Maintenance	3,120.00	April 1, 1975 to March 31, 1976
D. & H. Janitor Services	3,952.00	April 1, 1976 to March 31, 1978
Done Right Cleaners	6,480.00	July 1, 1973 to June 30, 1975
Done Right Cleaners	2,160.00	July 1, 1975 to February 27, 1976

Location and Company's Name	Value	Duration
Burks Falls		
Mrs. G. French	600.00	April 1, 1973 to June 30, 1973
Mrs. G. French	600.00	July 1, 1973 to September 30, 1973
Mrs. G. French	1,590.00	October 1, 1973 to March 31, 1974
Mrs. G. French	6,360.00	April 1, 1974 to March 31, 1976
Mrs. G. French	1,192.50	April 1, 1976 to August 15, 1976
Burlington		
McArthur's Janitor Service	14,160.00	September 1, 1975 to August 31, 1977
Mountain Janitor Service	120.00	June 1, 1974 to August 30, 1974
Mountain Janitor Service	1,380.00	September 1, 1974 to August 31, 1975
Sunshine Window Cleaning Company Limited	14,200.00	June 1, 1973 to July 31, 1975
Sunshine Window Cleaning Company Limited	870.00	August 1, 1975 to August 31, 1975
Cambridge		
Mrs. Carol A. Scott	900.00	April 1, 1974 to March 31, 1975
Mrs. Carol A. Scott	900.00	April 1, 1975 to March 31, 1976
Mrs. Carol A. Scott	1,280.00	April 1, 1976 to July 31, 1977
Chatham		
Ambassador Building Maintenance Limited ..	23,979.00	August 1, 1975 to July 31, 1977
Modern Building Cleaning, Division of Dustbane Enterprises Limited	23,282.05	July 9, 1973 to June 30, 1975
Modern Building Cleaning, Division of Dustbane Enterprises Limited	746.25	July 1, 1975 to July 31, 1975
Clinton		
Miss Nancy Neal	840.00	March 1, 1974 to February 29, 1976
Mrs. Johanna Neal	1,700.00	March 1, 1976 to July 31, 1977
Colborne		
Franglo Cleaning Contractors	7,200.00	May 1, 1976 to April 30, 1978
Like New Building Maintenance	4,800.00	May 1, 1974 to April 30, 1976
Concord		
First Class Janitorial Service	1,980.00	April 1, 1976 to March 31, 1977
Windmill Cleaning Services	540.00	*December 13, 1975 to March 31, 1976

Location and Company's Name	Value	Duration
Cornwall		
Briteway Building Maintenance	1,440.00	May 1, 1972 to April 30, 1973
Briteway Building Maintenance	720.00	May 1, 1973 to October 31, 1973
Briteway Building Maintenance	1,800.00	November 1, 1973 to October 31, 1974
Briteway Building Maintenance	1,800.00	November 1, 1974 to October 31, 1975
Briteway Building Maintenance	4,250.00	November 1, 1975 to October 31, 1977
Cornwall Window and Floor Cleaning Services Limited	840.00	April 1, 1973 to March 31, 1974
Cornwall Window and Floor Cleaning Services Limited	1,164.00	April 1, 1974 to March 31, 1975
Cornwall Window and Floor Cleaning Services Limited	1,164.00	April 1, 1975 to March 31, 1976
Cornwall Window and Floor Cleaning Services Limited	1,164.00	April 1, 1976 to March 31, 1977
Mrs. Olga Hill	2,892.00	September 1, 1973 to August 31, 1974
Mrs. Olga Hill	3,240.00	September 1, 1974 to August 31, 1975
Mrs. Olga Hill	6,480.00	September 1, 1975 to August 31, 1977
Dryden		
Mrs. Herma Bernier	1,050.00	December 13, 1974 to August 30, 1976
Judith and Herma Bernier	1,200.00	October 1, 1975 to September 30, 1976
Mr. J. Boyko	212.00	August 11, 1975 to September 30, 1975
Mrs. S. Leason	2,000.00	January 2, 1974 to August 30, 1976
Loryaines Cleaning Service	180.00	January 1, 1976 to January 1, 1977
D. A. McDonald	975.00	November 1, 1974 to February 8, 1976
D. A. McDonald	1,875.00	November 1, 1974 to February 8, 1976
D. A. McDonald	840.00	December 1, 1974 to February 8, 1976
D. A. McDonald	509.60	February 9, 1976 to August 31, 1976
D. A. McDonald	980.00	February 9, 1976 to August 31, 1976
D. A. McDonald	470.00	February 9, 1976 to August 31, 1976
Mrs. Helmi Neely	1,260.00	August 8, 1973 to November 30, 1975
Mrs. Helmi Neely	495.00	December 1, 1975 to August 31, 1976
Mrs. S. Wladyko	2,159.64	June 1, 1973 to September 6, 1976

Location and Company's Name	Value	Duration
Elliot Lake		
H. Fisher	<u>1,320.00</u>	April 1, 1975 to February 29, 1976
H. Fisher	<u>2,880.00</u>	March 1, 1976 to February 28, 1978
Espanola		
G. & P. Belanger	<u>130.00</u>	January 1, 1976 to February 29, 1976
G. & P. Belanger	<u>1,800.00</u>	March 1, 1976 to February 28, 1978
Jo Ann Belanger	<u>845.00</u>	August 1, 1974 to July 31, 1975
P. Belanger	<u>260.00</u>	August 1, 1975 to February 29, 1976
Fort Frances		
Fort Frances General Contracting	<u>42,000.00</u>	August 1, 1975 to July 31, 1977
Bodil Larsen	<u>1,360.00</u>	November 15, 1973 to October 1, 1974
Bodil Larsen	<u>3,150.00</u>	October 2, 1974 to June 30, 1976
Bodil Larsen	<u>272.00</u>	February 10, 1975 to May 31, 1975
Bodil Larsen	<u>845.00</u>	June 1, 1975 to June 30, 1976
Bodil Larsen	<u>1,040.00</u>	June 1, 1975 to June 30, 1976
Bernice Robb	<u>2,050.00</u>	April 1, 1973 to August 31, 1976
Georgetown		
Success Maintenance	<u>832.00</u>	April 1, 1973 to March 31, 1974
Success Maintenance	<u>910.00</u>	April 1, 1974 to March 31, 1975
Success Maintenance	<u>657.00</u>	*April 1, 1975 to November 30, 1975
Geraldton		
Mrs. L. Lester	<u>550.00</u>	August 1, 1974 to June 30, 1975
Mrs. L. Lester	<u>825.00</u>	October 1, 1975 to August 31, 1976
A. Porcellana	<u>2,160.00</u>	September 1, 1974 to August 31, 1976
Glencoe		
P. R. Giles Maintenance	<u>1,554.00</u>	October 1, 1973 to March 31, 1975
Handiman Maintenance	<u>1,610.00</u>	April 1, 1975 to May 31, 1976

Location and Company's Name	Value	Duration
Gravenhurst		
R. & F. Industrial Maintenance	<u>1,290.00</u>	August 1, 1974 to March 31, 1975
R. & F. Industrial Maintenance	<u>3,300.00</u>	April 1, 1975 to March 31, 1976
R. & F. Industrial Maintenance	3,600.00	April 1, 1976 to March 31, 1977
Guelph		
Povey-Armour Janitor Services Limited	<u>37,518.09</u>	April 1, 1974 to March 31, 1976
Povey-Armour Janitor Services Limited	45,600.00	April 1, 1976 to March 31, 1978
Haileybury		
Verut Commercial Cleaning	11,948.40	December 2, 1974 to November 30, 1976
Hamilton		
(See answer to Question No. 67, Order Paper No. 23, April 21, 1976)		
Harriston		
Thomas A. Lloyd	5,760.00	February 1, 1976 to January 31, 1979
Hill Island		
Cheverie Enterprises	7,072.00	April 1, 1976 to March 31, 1978
Mrs. Doreen Cranker	<u>3,120.00</u>	April 1, 1973 to March 31, 1974
Mrs. Doreen Cranker	<u>3,336.00</u>	April 1, 1974 to March 31, 1975
Mrs. Doreen Cranker	<u>3,336.00</u>	April 1, 1975 to March 31, 1976
Homer		
Scott Janitorial Services Limited	8,500.00	August 12, 1974 to August 11, 1976
Huntsville		
Dave Gould Cleaning	8,500.00	April 1, 1976 to March 31, 1977
Huron Park		
Modern Building Cleaning, Division of Dustbane Enterprises Limited	79,529.00	September 2, 1974 to September 1, 1976
Kapuskasing		
Mrs. C. Rozon	<u>720.00</u>	April 1, 1973 to March 31, 1974
Mrs. C. Rozon	<u>3,000.00</u>	April 1, 1974 to March 31, 1976

Location and Company's Name	Value	Duration
Keewatin		
Herdis Larsen	1,380.00	September 1, 1973 to August 31, 1974
Herdis Larsen	700.00	September 1, 1974 to December 31, 1974
Herdis Larsen	3,640.00	January 1, 1975 to August 31, 1976
Kemptville		
K. Gilmer	5,776.00	December 23, 1975 to June 23, 1977
Kenora		
Mrs. E. Golschesky	6,060.00	August 1, 1974 to August 31, 1976
Mrs. E. Golschesky	6,100.00	November 15, 1974 to September 15, 1976
Mrs. J. Olsen	2,640.00	April 1, 1973 to August 31, 1976
Kingston		
Clean-All Janitorial Service	3,000.00	April 1, 1976 to March 31, 1978
Cross Town Cleaners	74,514.00	June 1, 1974 to May 30, 1976
Cross Town Cleaners	1,040.00	April 1, 1975 to April 30, 1976
Cross Town Cleaners	1,920.00	May 1, 1976 to April 30, 1978
Modern Building Cleaning, Division of Dustbane Enterprises Limited	73,392.00	April 1, 1972 to March 31, 1974
Modern Building Cleaning, Division of Dustbane Enterprises Limited	6,116.00	April 1, 1974 to May 30, 1974
Harrison Janitors	6,696.00	August 1, 1972 to July 31, 1974
Harrison Janitors	558.00	August 1, 1974 to September 30, 1974
Harrison Janitors	1,650.00	April 1, 1973 to March 31, 1974
Harrison Janitors	5,280.00	October 1, 1973 to September 30, 1975
Harrison Janitors	660.00	October 1, 1975 to December 31, 1975
Harrison Janitors	1,800.00	April 1, 1974 to March 31, 1975
Harrison Janitors	6,696.00	October 1, 1974 to September 30, 1976
Harrison Janitors	1,800.00	April 1, 1975 to March 31, 1976
Harrison Janitors	6,696.00	January 1, 1976 to December 31, 1977

Location and Company's Name	Value	Duration
Mrs. Ken Smallridge	330.00	February 1, 1975 to March 31, 1975
Mrs. Ken Smallridge	2,227.50	April 1, 1975 to May 15, 1976
Windmill Cleaners	900.00	April 1, 1972 to March 31, 1973
Art Wubban Office Cleaning	2,400.00	April 1, 1974 to March 31, 1975
Kirkland Lake		
J. H. Goodman Janitorial Service	916.00	April 1, 1973 to July 31, 1973
J. H. Goodman Janitorial Service	1,832.00	August 1, 1973 to March 31, 1974
J. H. Goodman Janitorial Service	458.00	April 1, 1974 to May 31, 1974
J. H. Goodman Janitorial Service	1,193.90	November 8, 1975 to January 16, 1976
J. H. Goodman Janitorial Service	325.00	November 1, 1975 to November 30, 1975
J. H. Goodman Janitorial Service	7,800.00	December 1, 1975 to November 30, 1977
L. Heroux	165.00	April 1, 1973 to June 30, 1973
L. Heroux	495.00	July 1, 1973 to March 31, 1974
L. Heroux	1,920.00	April 1, 1974 to March 31, 1976
L. Heroux	80.00	April 1, 1976 to April 30, 1976
Mrs. A. Lachance	4,800.00	April 1, 1974 to March 31, 1976
Mrs. A. Lachance	200.00	April 1, 1976 to April 30, 1976
Gordon A. MacEachern Limited	13,200.00	January 17, 1976 to January 16, 1978
Gordon A. MacEachern Limited	2,352.00	May 1, 1976 to April 30, 1978
Gordon A. MacEachern Limited	4,776.00	May 1, 1976 to April 30, 1978
Mrs. C. Pearce	450.50	April 1, 1975 to July 31, 1975
Professional Janitorial Services	2,000.00	*June 2, 1975 to November 8, 1975
Superior Maintenance	4,271.00	*June 10, 1974 to May 13, 1975
Kitchener		
Arts Janitorial Service	3,000.00	March 1, 1976 to February 28, 1977
Knightly Janitorial	3,432.00	June 1, 1975 to May 31, 1977
Schnarr's Cleaning Service	2,864.52	March 1, 1975 to February 28, 1976
Witmer Enterprises	2,488.20	*March 1, 1974 to February 28, 1975

Location and Company's Name	Value	Duration
Lansdowne		
Cheverie Janitors	<u>3,380.04</u>	April 1, 1973 to March 31, 1974
Lindsay		
Copelands Cleaning	<u>1,065.60</u>	April 1, 1972 to September 30, 1973
Copelands Cleaning	<u>396.00</u>	April 1, 1972 to September 30, 1973
Copelands Cleaning	<u>1,686.15</u>	April 1, 1972 to June 30, 1974
Copelands Cleaning	<u>1,320.00</u>	October 11, 1972 to October 11, 1973
Copelands Cleaning	<u>660.00</u>	November 1, 1972 to April 30, 1973
Copelands Cleaning	<u>3,960.00</u>	October 12, 1973 to October 12, 1975
Copelands Cleaning	<u>437.55</u>	October 13, 1975 to December 31, 1975
Copelands Cleaning	<u>1,600.00</u>	*July 2, 1974 to October 31, 1975
Sheridans Janitor Service	2,400.00	December 1, 1974 to November 30, 1976
Sheridans Janitor Service	3,000.00	January 1, 1976 to December 31, 1977
London		
(See answer to Question No. 67, Order Paper No. 23, April 21, 1976)		
L'Orignal		
Mrs. Georgina Sequin	<u>1,200.00</u>	May 1, 1972 to April 30, 1973
Mrs. Georgina Sequin	<u>1,200.00</u>	May 1, 1973 to April 30, 1974
Mrs. Georgina Sequin	<u>1,200.00</u>	May 1, 1974 to April 30, 1975
Mrs. Georgina Sequin	<u>1,100.00</u>	May 1, 1975 to March 30, 1976
Mrs. Georgina Sequin	1,200.00	April 1, 1976 to March 31, 1977
Midland		
D & J Window Cleaning	845.00	March 1, 1976 to March 31, 1977
Mississauga		
Mops Unlimited Incorporated	10,800.00	December 1, 1975 to November 30, 1977
Mops Unlimited Incorporated	2,208.00	January 15, 1976 to January 14, 1978
New Life Building Maintenance of Canada ..	<u>6,968.00</u>	November 1, 1973 to October 31, 1975

Location and Company's Name	Value	Duration
Oka Janitorial and Supply	2,520.00	March 8, 1976 to March 7, 1978
Olympia Cleaners & Maintenance Co.	6,801.12	November 1, 1973 to October 31, 1975
The Caretakers	15,399.84	November 1, 1975 to October 31, 1977
The Caretakers	13,555.84	November 1, 1975 to October 31, 1977

Morrisburg

E. E. Billings	1,440.00	April 1, 1972 to November 30, 1972
E. E. Billings	960.00	April 1, 1972 to November 30, 1972
E. E. Billings	2,400.00	December 1, 1972 to November 30, 1973
E. E. Billings	1,560.00	December 1, 1972 to November 30, 1973
E. E. Billings	1,560.00	December 1, 1973 to November 30, 1974
E. E. Billings	2,400.00	December 1, 1973 to November 30, 1974
E. E. Billings	2,400.00	December 1, 1974 to November 30, 1975
E. E. Billings	1,560.00	December 1, 1974 to November 30, 1975
E. E. Billings	3,200.00	December 1, 1975 to March 31, 1977
E. E. Billings	2,080.00	December 1, 1975 to March 31, 1977

New Liskeard

Mr. A. Meunier	300.00	August 1, 1973 to August 31, 1973
Mr. A. Meunier	525.00	September 1, 1973 to March 31, 1974
Mr. A. Meunier	1,743.75	April 1, 1974 to March 31, 1976
Mr. A. Meunier	1,920.00	April 1, 1976 to March 31, 1978

Newmarket

Don Glass Building Maintenance	3,429.96	April 1, 1974 to March 31, 1975
Don Glass Building Maintenance	4,500.00	April 1, 1976 to March 31, 1977
Mrs. J. Goldsmith	333.34	April 1, 1973 to April 30, 1973
Mrs. J. Goldsmith	1,000.02	May 1, 1973 to July 31, 1973
Mrs. J. Goldsmith	2,666.72	August 1, 1973 to March 31, 1974
Windmill Cleaning Services	5,670.00	April 1, 1975 to March 31, 1976

Location and Company's Name	Value	Duration
Niagara Falls		
Commercial Cleaning Service	4,230.00	April 1, 1973 to March 31, 1974
Commercial Cleaning Service	9,416.00	April 1, 1974 to March 31, 1976
Commercial Cleaning Service	13,464.00	April 1, 1976 to March 31, 1978
Niagara Falls Cleaning Contractors Limited ..	519.76	April 1, 1973 to November 30, 1973
Niagara Falls Cleaning Contractors Limited ..	855.84	December 1, 1973 to November 30, 1974
Niagara Falls Cleaning Contractors Limited ..	79.30	December 1, 1974 to December 31, 1974
Niagara Falls Cleaning Contractors Limited ..	3,128.40	January 1, 1975 to December 31, 1976
North Bay		
Bay Maintenance Service Limited	4,440.00	July 1, 1974 to June 30, 1976
Bay Maintenance Service Limited	17,040.00	December 2, 1974 to November 30, 1976
Commercial Janitor Service	3,000.00	*April 1, 1974 to September 13, 1974
Gordon A. MacEachern Limited	6,960.00	August 1, 1975 to July 31, 1977
Oakville		
Town and Country Maintenance	450.00	April 1, 1973 to September 30, 1973
Town and Country Maintenance	900.00	October 1, 1973 to September 30, 1974
Town and Country Maintenance	925.00	October 1, 1974 to September 30, 1975
Town and Country Maintenance	75.00	October 1, 1975 to October 31, 1975
Town and Country Maintenance	2,640.00	November 1, 1975 to October 31, 1977
Town and Country Maintenance	4,200.00	June 2, 1975 to June 1, 1977
Orangeville		
Reliable Maintenance	1,344.00	April 1, 1975 to March 31, 1976
Superior Maintenance	1,008.00	April 1, 1973 to March 31, 1974
Superior Maintenance	1,008.00	April 1, 1974 to March 31, 1975
Superior Maintenance	1,050.00	April 1, 1976 to March 31, 1977
Orillia		
Clark Cleaning Service	75.00	*March 1, 1973 to March 31, 1973
Clark Cleaning Service	2,340.00	April 1, 1973 to March 31, 1974

Location and Company's Name	Value	Duration
Clark Cleaning Service	2,200.00	*April 1, 1974 to January 1, 1975
Lawrence Lebaron	2,275.00	*April 1, 1975 to December 31, 1975
R & F Industrial Maintenance	1,224.00	April 1, 1973 to March 31, 1974
R & F Industrial Maintenance	1,320.00	April 1, 1974 to March 31, 1975
R & F Industrial Maintenance	1,560.00	April 1, 1975 to March 31, 1976
R & F Industrial Maintenance	4,950.00	January 1, 1976 to March 31, 1977
R & F Industrial Maintenance	1,740.00	April 1, 1976 to March 31, 1977
Strong's Cleaning Services	525.00	*February 1, 1975 to March 31, 1975
Oshawa		
Gord's Janitorial Services	8,900.00	January 1, 1976 to December 31, 1977
Mrs. L. Perry	750.00	April 1, 1972 to July 30, 1974
Pioneer Floor and Carpet Care	9,768.69	January 7, 1974 to December 31, 1975
Ottawa		
(See answers to Question No. 67, Order Paper No. 23, April 21, 1976)		
Owen Sound		
A-1 Cleaning Services	239.00	December 1, 1974 to March 31, 1975
A-1 Cleaning Services	510.00	October 1, 1975 to March 31, 1976
A-1 Cleaning Services	2,700.00	April 1, 1976 to November 30, 1977
Pembroke		
Halbe De Jong	1,800.00	October 1, 1973 to September 30, 1974
Halbe De Jong	200.00	February 1, 1974 to March 31, 1974
	1,800.00	April 1, 1974 to March 31, 1975
Halbe De Jong	1,800.00	October 1, 1974 to September 30, 1975
Halbe De Jong	1,800.00	April 1, 1975 to March 31, 1976
Halbe De Jonge	2,700.00	October 1, 1975 to March 31, 1977
Halbe De Jong	1,800.00	April 1, 1976 to March 31, 1977
Gerald Edwards	1,200.00	April 1, 1972 to March 31, 1973
Gerald Edwards	1,000.00	April 1, 1973 to March 31, 1974

Location and Company's Name	Value	Duration
P. McCrae	1,200.00	July 1, 1972 to June 30, 1973
P. McCrae	300.00	July 1, 1973 to September 30, 1973
Mike Toner	2,400.00	May 1, 1972 to April 30, 1973
Mike Toner	2,400.00	May 1, 1973 to April 30, 1974
Peterborough		
Robert Cruikshank Cleaning Contractor Limited	2,061.00	April 1, 1974 to March 31, 1976
Robert Cruikshank Cleaning Contractor Limited	3,864.00	April 1, 1976 to March 31, 1978
General Building Maintenance	5,760.00	January 1, 1976 to December 31, 1977
Picton		
Cheverie Enterprises	4,500.00	May 1, 1976 to April 30, 1978
Prince Edward Cleaners	3,900.00	May 1, 1975 to April 30, 1976
Port Hope		
Franglo Cleaning Contractors	3,600.00	April 1, 1974 to March 31, 1976
Franglo Cleaning Contractors	6,500.00	April 1, 1974 to March 31, 1976
Franglo Cleaning Contractors	2,166.64	April 1, 1976 to November 30, 1976
Franglo Cleaning Contractors	1,800.00	December 1, 1974 to November 30, 1975
Franglo Cleaning Contractors	150.00	December 1, 1975 to December 31, 1975
Franglo Cleaning Contractors	100.00	January 1, 1975 to January 31, 1975
Franglo Cleaning Contractors	4,800.00	January 1, 1976 to December 31, 1977
Mann's Cleaning Contractors	3,120.00	April 1, 1971 to March 31, 1973
Wrights Window Washing	3,800.00	April 1, 1976 to March 31, 1978
Prescott		
Fern Byrd	900.00	May 1, 1974 to September 3, 1974
D. & D. Janitor Service	1,200.00	May 1, 1975 to September 2, 1975
D. & D. Janitor Service	1,286.00	May 1, 1976 to September 10, 1976
James Tyo	1,200.00	May 1, 1972 to April 30, 1973
James Tyo	1,200.00	May 1, 1973 to April 30, 1974

Location and Company's Name	Value	Duration
James Tyo	<u>1,200.00</u>	May 1, 1974 to
James Tyo	<u>1,200.00</u>	April 30, 1975
James Tyo	<u>1,200.00</u>	May 1, 1975 to
		April 30, 1976
		May 1, 1976 to
		April 30, 1977
Red Lake		
New Superior Maintenance Service	5,400.00	July 31, 1974 to
		July 31, 1976
Norman Ragousky	2,700.00	August 1, 1973 to
		July 31, 1974
Norman Ragousky	1,200.00	September 2, 1974 to
		August 31, 1976
Renfrew		
Jacob Hultink	<u>720.00</u>	April 1, 1973 to
		March 31, 1974
Jacob Hultink	<u>720.00</u>	April 1, 1974 to
		March 31, 1975
Hultinks Landscaping	<u>1,200.00</u>	April 1, 1975 to
		March 31, 1976
Hultinks Landscaping	2,400.00	April 1, 1976 to
		March 31, 1978
Richmond Hill		
B. & T. Maintenance	<u>607.50</u>	*March 1, 1974 to
		March 31, 1974
First Class Janitorial Service	1,260.00	April 1, 1976 to
		March 31, 1977
Floorman Calling Service	<u>5,880.00</u>	April 1, 1974 to
		March 31, 1975
Floorman Calling Service	6,000.00	April 1, 1976 to
		March 31, 1977
Marshall Maintenance	<u>6,512.00</u>	April 1, 1975 to
		March 31, 1976
Mr. Henry Zapalowski	<u>320.00</u>	*December 15, 1975 to
		March 31, 1976
Rockford		
D. & H. Janitor Service	<u>1,380.00</u>	February 17, 1975 to
		February 16, 1976
D. & H. Janitor Service	1,500.00	February 17, 1976 to
		February 16, 1977
Russell		
Mrs. Bessie Honey	<u>1,200.00</u>	May 1, 1972 to
		April 30, 1973
Mrs. Bessie Honey	<u>1,200.00</u>	May 1, 1973 to
		April 30, 1974
Mrs. Bessie Honey	<u>1,200.00</u>	May 1, 1974 to
		April 30, 1975
Mrs. Bessie Honey	<u>1,200.00</u>	May 1, 1975 to
		April 30, 1976
Mrs. Bessie Honey	1,200.00	May 1, 1976 to
		April 30, 1977

Location and Company's Name	Value	Duration
Sault Ste. Marie		
D'Urzo Janitorial Service Inc.	2,928.99	April 1, 1974 to March 31, 1976
D'Urzo Janitorial Service Inc.	3,248.47	August 1, 1974 to July 31, 1976
D'Urzo Janitorial Service Inc.	8,166.90	June 2, 1975 to June 1, 1977
D'Urzo Janitorial Service Inc.	3,703.68	April 1, 1976 to March 31, 1978
Mrs. L. Evans	480.00	March 1, 1973 to October 31, 1973
Mrs. L. Evans	400.00	November 1, 1973 to March 31, 1974
King's Northern Interior Cleaners Limited	5,520.00	February 2, 1976 to February 1, 1978
Gordon A. MacEachern Limited	23,712.00	January 5, 1976 to January 4, 1978
Gordon A. MacEachern Limited	2,860.00	April 1, 1976 to March 31, 1977
Sparkling Cleaners and Janitor Services	7,618.32	January 2, 1974 to December 31, 1975
Sparkling Cleaners and Janitor Services	1,136.42	April 1, 1975 to May 31, 1975
Sparkling Cleaners and Janitor Services	317.43	January 1, 1976 to January 31, 1976
St. Catharines		
Robert Barrow Limited	1,344.00	April 1, 1973 to March 31, 1974
Barton Bellmore	180.00	April 1, 1974 to April 30, 1974
Four Seasons Cleaning Service	4,800.00	May 1, 1976 to April 30, 1978
Snow White Cleaning	4,728.00	May 1, 1974 to April 30, 1976
Simcoe		
D. & H. Janitor Services	480.00	April 1, 1973 to March 31, 1974
D. & H. Janitor Services	480.00	April 1, 1974 to March 31, 1975
D. & H. Janitor Services	1,320.00	January 1, 1975 to December 31, 1976
D. & H. Janitor Services	1,200.00	April 1, 1975 to March 31, 1977
Norfolk Maintenance Services Limited	39,980.16	January 29, 1973 to January 28, 1975
Norfolk Maintenance Services Limited	19,990.08	January 29, 1975 to January 28, 1976
Norfolk Maintenance Services Limited	43,661.00	January 29, 1976 to January 28, 1978
Viking Janitor Services	831.96	November 1, 1972 to October 31, 1973
Viking Janitor Services	831.96	November 1, 1973 to October 31, 1974
Viking Janitor Services	187.00	November 1, 1974 to December 31, 1974

Location and Company's Name	Value	Duration
Smiths Falls		
Domestic Service	720.00	April 1, 1973 to March 31, 1974
Smiths Cleaning Services	1,194.96	April 1, 1974 to March 31, 1975
Smiths Cleaning Services	1,195.00	April 1, 1975 to March 31, 1976
Smiths Cleaning Services	2,389.00	April 1, 1976 to March 31, 1978
Sudbury		
(See answer to Question No. 67, Order Paper No. 23, April 21, 1976)		
Thunder Bay		
(See answer to Question No. 67, Order Paper No. 23, April 21, 1976)		
Timmings		
(See answer to Question No. 67, Order Paper No. 23, April 21, 1976)		
Toronto (Metropolitan)		
(See answer to Question No. 67, Order Paper No. 23, April 21, 1976)		
Wawa		
Mrs. E. Barstead	1,440.00	April 1, 1974 to March 31, 1976
Mrs. E. Barstead	1,440.00	April 1, 1976 to March 31, 1978
Mrs. M. Skryda	150.00	April 1, 1973 to June 30, 1973
Mrs. M. Skryda	530.00	July 1, 1973 to March 31, 1974
Welland		
Mrs. D. Bell	360.00	April 1, 1973 to March 31, 1974
Mrs. D. Bell	480.00	*April 1, 1974 to May 31, 1974
Crystal Window and Floor Cleaners	1,800.00	April 1, 1973 to March 31, 1974
Crystal Window and Floor Cleaners	1,800.00	April 1, 1974 to March 31, 1975
Crystal Window and Floor Cleaners	475.00	*April 1, 1975 to June 30, 1975
Mrs. J. Laverdiere	1,800.00	July 1, 1974 to June 30, 1975
Mrs. J. Laverdiere	700.00	July 1, 1975 to October 31, 1975
Mrs. J. Laverdiere	6,000.00	November 1, 1975 to October 31, 1977

Location and Company's Name	Value	Duration
Whitby		
Gord's Janitorial Service	1,800.00	January 1, 1976 to December 31, 1977
Y. & R. Properties	12,633.60	October 14, 1974 to October 14, 1976

Winchester		
C. Bolton	840.00	April 1, 1973 to March 31, 1974
C. Bolton	840.00	April 1, 1974 to March 31, 1975
C. Bolton	840.00	April 1, 1975 to March 31, 1976
Jean Porteous	2,400.00	April 1, 1976 to March 31, 1978

Windsor

(See answer to Question No. 67, Order Paper No. 23, April 21, 1976)

Part 2 (second portion): (What were) the wage rates paid under the contracts?

The wage rates paid by the contractors listed are not known since they were not requested in the tender documents, but all specifications for these contracts required the payment of at least the Ontario minimum wage and, since late 1975, for work tendered in Metropolitan Toronto, the payment of at least the fair wage rates is established by the Ontario Ministry of Labour and stated in the tender documents.

Part 3: Who are the principal owners of each of the firms?

The information was not requested in the tender documents for the contracts listed.

Part 4 (except clause (c)): In which buildings in which places are cleaning and maintenance personnel directly hired by the government? For each building, where cleaning and maintenance personnel are directly hired by the Ontario Government, what is the (a) total personnel cost, (b) of cleaning and maintenance materials (supplies)? With reference to (b): Are these directly supplied by the government or contracted purchase? If contract, from where?

The information requested in clause (c) of part 4, is provided as a separate and subsequent answer. It is too difficult, time consuming and costly to prepare a complete answer for the entire province for the remainder of this question. However, data could be provided for a specific location.

Part 4 (c): Hourly wage rate for each category of cleaner or maintenance person.

Hourly wage rates as of December 31, 1975, for classified and unclassified staff were as follows:

	Minimum	Maximum
Buildings cleaner 1	3.62	3.74
Buildings cleaner 2	4.30	4.46
Cleaner office buildings	3.74	3.74
Buildings cleaner and helper 1	4.28	4.43
Buildings cleaner and helper 2	4.62	4.79
Buildings cleaner and helper 3	4.65	5.01
Buildings cleaner and helper 4	5.64	6.10
Buildings caretaker 1	4.46	4.62
Buildings caretaker 2	4.62	4.79
Buildings caretaker 3	4.65	5.39
Buildings caretaker 4	5.01	5.43
Buildings caretaker 6	6.86	7.42
Security officer 1 (watchman/cleaner)	4.46	4.62

Part 5: Which of the firms listed in number one above have received or are currently receiving some form of government grant; how much is each grant; and for what purpose was it granted?

None of the firms listed have received any form of government grant as janitorial contractors.

Part 6: What has been the total cost of advertising by the Ministry of Government Services of tender calls for the purpose of letting all cleaning service and maintenance contracts through the province of Ontario in the fiscal years: (a) 1969-1970, (b) 1970-1971, (c) 1971-1972, (d) 1972-1973, (e) 1974-1975, (g) 1975-1976?

Data cannot be provided for the fiscal years stated in the question, but for the period January 1, 1976, to June 30, 1976, the cost of advertising tender calls for janitorial work contracts by the Ministry of Government Services was \$3,978.11.

179. Mr. Warner—Inquiry of the ministry: Will the Minister of Colleges and Universities endorse the principle of paid educational leave defined as leave granted for educational purposes, such as career development, during working hours without loss of earnings and benefits, and make paid educational leave available to the non-teaching staff of colleges and universities? Further, will the minister ensure that paid educational leave will be funded and implemented by a combination of collective agreement, legislation, and regulation? Will the minister guarantee that paid educational leave shall in no way affect the normal rights and benefits derived from an employment relationship?

Answer by the Minister of Colleges and Universities (Mr. Parrott):

For the community college system, the government has established collective bargaining legislation which allows for the negotiation of all terms and conditions of employment, except superannuation.

In so far as the universities are concerned, since these institutions are autonomous, operating under their own acts, it is up to the employee and the employer to negotiate wages and fringe benefits. For the Minister of Colleges and Universities to insist through legislation or regulation that employees shall have paid educational leave, or that employers must provide same, would be an unwarranted and arbitrary intrusion into negotiations between employer and employee. No matter how worthy the cause, this would establish a significant precedent of government interference.

It is naive to think that paid educational leave can be provided free, as it undoubtedly represents a cost to the institution, both to deliver the educational service, and in the loss of the services of the employee. There is no additional money available to give the institutions to provide such leave, which means it must necessarily be a tradeoff with other wages or benefits. The parties involved should have the freedom to make that choice, it should not be dictated by government fiat.

194. Mr. Cassidy—Inquiry of the ministry: How many editions a year are there of Environment Ontario Legacy; how many copies are printed; to whom is the newspaper distributed; what is the cost of producing the newspaper; what are the editorial and staff-costs of producing each issue; what are the distribution costs of each issue?

Answer by the Minister of the Environment (Mr. Kerr):

1. Editions: The bi-monthly external tabloid newspaper is published five or six times each year.

2. Circulation: The normal press run of 22,000 is frequently increased to accommodate distribution at special events, such as fairs and exhibitions in which the ministry participates. Maximum press run is 29,000.

3. Distribution: Legacy reaches: All elementary, secondary and post-secondary schools; public libraries; cottage and naturalist associations; conservation authorities; environmental groups such as Pollution Probe; media outlets; municipal councils and staff; engineers and others professionally involved in environmental matters, as well as internally throughout the Ontario government including MPPs. Private citizens receive Legacy subscriptions on request.

4. Production Costs: Average per issue cost since April 1975 is \$0.08. Number of pages per issue varies from eight to 16. Full colour is used in up to three issues a year. Average cost per issue is \$1,700. This becomes approximately \$2,850 per issue for colour issues and the amortization of overruns.

5. Annual Staff Costs: Editor, \$10,250; summer staff, \$750; photographic and graphics staff \$2,100; travel and accommodation, \$4,500; total, \$17,600*.

Based on six issues per year, staff costs per issue are \$2,933. (*Staff costs are estimated in proportion to other branch duties. Travelling assignments for Legacy are usually arranged in conjunction with other branch requirements.)

6. Distribution Costs: Distribution by the Ministry of Government Services is estimated to be \$1,400 per issue including labelling, handling and foreign and domestic postage.

182. Mr. Nixon—Inquiry of the ministry: What proportion of the old Mount Sinai Hospital has been put to alternative use? What is the timetable to bring it into full alternative use? What is the cost of maintaining it?

Answer by the Minister of Health (Mr. F. S. Miller):

Contractors are at present working on the renovation of the entire old Mount Sinai Hospital to make it suitable for use by chronic care patients. It is expected that the first patients will be admitted in the spring of 1977 and the hospital should be in full use by the fall. The present cost of maintaining this building is approximately \$20,000 per month.

193. Mr. Cassidy—Inquiry of the ministry: What research activities are being undertaken by the Youth Secretariat to assist in the planning and development of provincial employment programmes for young people? What are the major findings to date of this research? How much is this research costing, and to whom are its findings directed? Will the ministry table the research reports on: (a) analysis of applicants to the Ontario Experience programme; (b) the telephone survey of young people conducted by the Youth Secretariat; (c) the mailed questionnaire to a random sample of employers; (d) qualitative field interviews, all undertaken as part of the research activities concerned with provincial employment programmes for young people? Will the ministry explain why Ontario conducts no research attempting to forecast job opportunities for young people over the coming years?

Answer by the Provincial Secretary for Social Development (Mrs. Birch):

Four research projects are being undertaken by the Ontario Youth Secretariat to assist in the planning and development of provincial employment programmes for young people: (a) analysis of applicants to the Ontario Experience programme; (b) the telephone survey of young people; (c) the mailed questionnaire to a random sample of employers; and (d) the qualitative field interviews.

The major findings, to date, of this research are in the following areas: knowledge of the age, sex and geographic location of applicants to the Experience programme; knowledge of employer's assessment of the distribution of summer job availability in particular regions based on the relative strengths of the industrial, retail and public sectors of the regional economies.

The cost of these projects is \$72,000 and findings are directed to those designing future provincial employment programmes for young people. Reports documenting these research projects will be made available upon their completion.

The federal government has the responsibility for forecasting job opportunities. The government of Ontario does not believe in duplication of effort, and so, has not undertaken research in the area of forecasting job opportunities for young people over the coming years.

190. Mr. Mancini—Inquiry of the ministry: Would the Minister without Portfolio (Lambton) furnish a detailed copy of his itinerary from November 1, 1975, listing all meetings attended by him for the purpose of conducting government business, and the names and addresses, where possible, of those in attendance?

Answer by the Minister without Portfolio (Mr. Henderson):

1975

1. November 5—Channel 42 Opening, Wallaceburg;
2. November 17—William Stewart Retirement Night, 1,200 guests attended;
3. November 22—Elmer Teft reception, Sarnia;
4. November 29—Windsor Multicultural Society, attended by several local citizens;
5. November 29—Essex county opening civic centre, attended by several local citizens;

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6. January 8—Official opening, Canterbury Inn, Sarnia, several local politicians;
7. January 9—Windsor cabinet meeting and local municipal officials;
8. January 22—London cabinet and local municipal officials;
9. February 5—Ontario farm drainage conference, London, and attended by western Ontario drainage contractors;
10. April 23—John Smith Night, attended by 600 people and the mayor of Hamilton;
11. May 1—Sarnia Lambton planning study, Point Edward, attended by several local officials;
12. May 14, 15 and 16—Ontario Progressive Conservative Conference at the Inn on the Park;
13. May 26—Three days, Municipal Liaison Committee—Macdonald Block, municipal liaison officials;
14. June 6 to June 11—Habitat Conference, Vancouver, BC; United Nations Conference on Human Settlements; five days; 100 countries represented;
15. June 16—Ontario Place, visitors re Habitat Conference;
16. June 28—Wally Downer Night—Collingwood, attended by several hundred people;
17. July 12—Newbury Hospital Board and officials;
18. July 17—Olympics official opening;
19. August 1—Closing ceremonies Olympics, Montreal;
20. August 25—Sarnia, Judge Hugh Garrett;
21. August 26—Official opening Sun Oil;
22. August 27—Sod turning, Sarnia Transport bus maintenance and storage garage; Transportation and Communications;
23. August 30—Thunder Bay, Professional Foresters Association;
24. September 14—Prime Minister of Great Britain; dinner attended by cabinet colleagues;
25. September 24—Skyline Hotel—Hon. William and Kathy Davis, attended by 1,200 people.
26. September 28—Provincial ploughing match, Bruce county;
27. October 4—Public meeting, Ridgeway Agricultural College, attended by 75 farmers and members from the Liberal caucus;
28. October 7—Official opening, Lambton water plant, Sarnia;
29. October 8—Tour St. Clair Park facilities; Hon. James Snow, local officers;
30. October 28—Windsor Chamber of Commerce and Essex County Conservation Authority, Windsor;
31. October 29—Leamington, special night, attended by Premier of Ontario and many special people from the local area;
32. October 30—Glencoe, Four County Horsemen Association;
33. November 6—Town of Essex, street opening attended by local officials;
34. November 17—St. Clair Regional Conservation Authority, Wyoming, attended by members.

APPENDIX B

Standing Resources Development Committee

THURSDAY, DECEMBER 16, 1976

The committee met at 10:05 a.m.

**THE WORKMEN'S
COMPENSATION BOARD**
(continued)

Mr. Starr: Mr. Chairman, with the permission of the members of the committee, yesterday upon the conclusion of Mr. Stephen Lewis's observations, Dr. McCracken was going to make some comments when he was interrupted and never had the opportunity to do so. I wonder if the committee would afford him the opportunity to make those comments now on what I consider and this committee considers to be a very serious problem.

Mr. Bain: Mr. Chairman, speaking to that point, I don't think we have any objections to hearing Dr. McCracken. The only problem is that our time is extremely limited and there are a number of things which I know the minister will want to comment on today so we will have more input. As long as Dr. McCracken will deal with the matter fairly succinctly, I don't think we have any objection but—

Mr. Starr: I am sure he will. It is not his intention to consume the time that I know the members are anxious to have, but it is an important—

Mr. Bain: Yes.

Mr. Laughren: Could it be pointed out that Dr. McCracken did have an opportunity to reply yesterday but he didn't?

Mr. Starr: Oh, yes, he had just started when Mr. Lewis felt he should interrupt and he didn't get a chance—

Mr. Bain: He could have replied when Mr. Lewis was finished.

Mr. Haggerty: Mr. Chairman, I don't think I object for the Liberal Party, on this particular thing.

Dr. McCracken: Mr. Chairman, as the members who were here yesterday afternoon will recollect, I had commenced to review the data we have from the world literature which is very scanty. Before I had an opportunity to complete that, Mr. Lewis went on and discussed the matter further and I never did have an opportunity to come back to it.

Certainly the world literature is scanty. There are three main documents in existence and they are all the case control type of study. It is an accepted fact that these are considered to be inferior types of studies to the prospective studies such as Dr. Selikoff has been doing in his group in the United States and Quebec.

On the basis of the data, I felt, on advice, that we are not in a position to establish—I want to phrase it very clearly if I can today—on a probability basis that there was a causal relationship between exposure to asbestos fibre dust and the development of cancer of the larynx. The literature to date indicates and suggests that they may be some causal type of mechanism, possibly in conjunction with other compounds or chemicals but they cannot identify these. They suggest further studies should be carried out.

I had opportunity—this was what I was going to bring forward—in the last week of November to discuss this very matter with Dr. Selikoff by telephone from Toronto to New York. I asked Dr. Selikoff about his studies in view of the fact that in the *Globe and Mail* there had been an article which stated that Dr. Selikoff was going to publish his data in, I believe, three months; several or three months in any event.

I specifically asked Dr. Selikoff about this because I am extremely interested in getting any and all new studies and medical information on the subject. Dr. Selikoff told me he had no idea how the reporter could have come away with that concept because he had no intention of publishing his information within the next month or several months or three months. He told me he had no idea when he would publish it.

He told me, however, that he was in the process of updating his data to bring it up to date as far as possible so he could identify any new cases of cancer of the larynx which had developed in this large group of people he is observing. He suggested to me that if I was interested in it—and I told him I most certainly was—if I were to write him a letter requesting that he would furnish me his updated tables when they were completed—he expected that would be within the next one or two months but he couldn't be certain of this—he said he would furnish these tables to me on the absolute understanding that they were confidential.

I was not to make them public documents but I could use them in our deliberations to determine if there was a probability existing as to a causal relationship. I thanked him for this and I have subsequently written him a letter requesting that he furnish me with his data as soon as possible.

I asked Dr. Selikoff if he was aware of any other studies currently going on in the world and he told me that he was not. I asked him specifically about Dr. Newhouse at the London School of Hygiene because she is a world-renowned epidemiologist and it had come to my attention that she might have a study. He referred to the study she had previously carried out which, of course, has been published; so far as he was concerned, he didn't know of any new studies.

I asked Dr. Selikoff if, on the basis of the world literature and realizing the types of studies and the limitations to them, he would fault me for not taking a recommendation to the board at this time that I was satisfied there was a probability causal relationship. He said he could not fault me because he considered the studies to be weak and that his study, when it was published, hopefully would prove the point.

I thanked him for that and again I told him I would like to have his data as soon as it was available. This brings us up to the present point.

The other thing which is distressing to me is that if any group or researchers in Ontario is going to mount a case control study, I have been told by the experts that the publicity this has received in the press in all probability will jeopardize the end results of such a study. I feel very badly about this because we have a rather good reservoir to draw from of cases of laryngeal carcinoma through the Princess Margaret Hospital and through the Ontario Cancer Foundation.

I feel badly that this has happened because, believe me, I want to get the final answer to this. I want to see some good studies done which will give us the final answer and I want to get the material from Dr. Selikoff.

I do not want the members of this meeting to go away with any idea whatsoever that I am obstructing this. As a doctor, I have a responsibility to determine whether or not some factor is giving rise to disease and, if it is, to search this out and to make the fact known. These are the points I really wish to make, Mr. Chairman.

Mr. Bain: Too bad we didn't have Dr. Selikoff here for a rebuttal.

Hon. B. Stephenson: Mr. Chairman, I think that is a somewhat spurious remark because the information which I have from Dr. Selikoff is that the subject was not discussed at the open meeting at which it was reported by a number of people that the subject was discussed. He did not mention in the entire transcript any iota of information regarding laryngeal cancer and asbestos. This is being, I think, examined in a very responsible way by a number of responsible researchers including Dr. Selikoff. I think we must have, as Dr. McCracken has said, the factual information which will come from those studies and from others which have been done and, hopefully, are being done quietly in order to make a responsible decision. That's precisely what this—

[10:15]

Mr. McClellan: What happens to the benefit of the doubt?

Hon. B. Stephenson: The benefit of the doubt will, of course, be a major factor when the factual information is available to us.

Mr. McClellan: It's a major qualification—

Hon. B. Stephenson: No, it's not a major qualification at all. If one is to make responsible decisions in any area, one uses all of the facts which are or can be available to one in order to establish the base from which the decisions are made.

Mrs. Campbell: But meanwhile, what happens to the worker who is waiting while all these responsible studies are going on?

Mr. McClellan: What happens to Aimé Bertrand?

Mrs. Campbell: This is the problem.

Hon. B. Stephenson: There are a number of human beings who have developed carcinoma of the larynx for a variety of reasons, some of them related to their occupations, not necessarily because they're being exposed to any toxic materials. But there are at least three anaesthesiologists that I know of who have developed carcinoma of the larynx. I don't know, and I don't suppose anyone else does right at the moment, whether, indeed, it's due to the exposure to anaesthetic gases, to the cigarettes they smoked, to the environment in which they lived. This is the kind of problematical situation we have at the moment. It would seem to us that if we can

get the factual information rapidly—and that's the thing we've been working for—we'll be able to solve the problem in a reasonably short period of time.

Mr. Laughren: If I might respond completely to Dr. McCracken, I wish the transcript from yesterday afternoon's proceedings were available to us this morning; I can't find one. But there was no doubt what Dr. McCracken said about causal effect and he's reiterated it again this morning, and it is beyond me how Dr. McCracken and Mr. Reed can work for the same compensation board, given their approach to benefit of the doubt. I quote from a speech that Mr. Reed made—referred briefly to by our leader yesterday afternoon—when he was talking to the Law Society of Upper Canada, and he said:

"Benefit of doubt for compensation purposes means that it is not necessary for the employee to adduce conclusive proof to support his claim for compensation. The board, when adjudicating a claim, does, as a matter of policy, draw from all the circumstances of the case, from the evidence adduced and to the medical opinions, all reasonable inferences and presumptions in favour of the injured employee. The injured employee does not require a preponderance of evidence in support of his claim, so long as reasonable inference is based on the balance of probabilities and not mere possibilities can be drawn in his favour. Every reasonable consideration is given to those disabled."

Despite Dr. McCracken's assurances this morning about the lack of conclusive evidence and his phone call to Dr. Selikoff, there nevertheless are studies, including Dr. Morgan's, that indicate that there is a very good possibility, if not a strong probability, that there is a relationship between asbestos and laryngeal cancer. It still leaves me somewhat shaken in that in one sense we are talking about giving the benefit of the doubt to the worker and then we have the medical director for the compensation board telling us that there is not conclusive evidence, that there is a causal relationship. I don't know how you fit that in with benefit of the doubt; I am at a loss to explain that. It is not a case of absolute proof, it's not supposed to be a case of absolute proof, and yet that's what Dr. McCracken's looking for, absolute proof. His comment about publicity destroying the research programmes leaves me confused because I don't know why that would be so. Perhaps Dr. McCracken could explain. Is he suggesting that there should not be publicity when there is such an obvious case of injustice? I'd appreciate his comments.

Mr. Haggerty: Mr. Chairman, may I bring to your attention that I think I'm next on the speaking list here, and I think we did allow Dr. McCracken to make his comments. If Mr. Laughren wants to speak again then I think he should wait for his turn.

Mr. Laughren: I thought we were following up on Dr. McCracken's remarks, that's all.

Mr. Chairman: Mr. Haggerty now has the floor.

Mr. Laughren: Are you ruling against Dr. McCracken having an opportunity to explain?

Mr. Chairman: I think Mr. Haggerty is right, that you can discuss this at any time.

Mr. Haggerty: I think you have ample time to come back and question Dr. McCracken, and maybe you'll have time to go and read Hansard and get the information that you want.

Hon. B. Stephenson: If I may, for one moment, please, Mr. Chairman.

Mr. Laughren: As long as you're ruling consistently, Mr. Chairman.

Hon. B. Stephenson: I am concerned that the hon. members are unaware or did not hear what I said. I said that the basis from which a decision must be made has to be the factual information which is available to us, which can establish causality or probability of causality. That is not present at this time; that's what we are trying to achieve. From that base, then the weight of benefit of the doubt most certainly functions on behalf of the individual who is applying for a pension, as it has in the area of gastrointestinal cancer related to asbestos, because that's precisely what has been in effect, since that decision was made on the basis of factual information. But we have to have that first. You can't just pick it out of the air and say, "I think this is the right thing to do in this situation," because you're establishing precedents which will be used not only by this board but by boards of compensation all across this country. It would be nice if we could follow the other boards, but that isn't what happens. Ontario sets the precedents and the other boards follow them.

Mr. Laughren: You certainly wouldn't want to err on the side of the workers.

Hon. B. Stephenson: We err on the side of the best possible medical information.

Mr. Laughren: Give me one example where you've erred on the side of the worker, just one.

Hon. B. Stephenson: There are at least two examples in the area of gastrointestinal cancer, at least two, which you know about.

Mr. Chairman: Mr. Haggerty now has the floor.

Mr. Haggerty: Thank you, Mr. Chairman. I want to deal with, in particular, section 118 of the Act and perhaps we can tie it in with the comments heard this morning. Section 118(1): "Where an employee suffers from an industrial disease and is thereby disabled and his death is caused by industrial disease and the disease is due to the nature of any employment in which he was engaged, whether under one or more employments, the employee or his dependants are entitled to compensation as if the disease was a personal injury by accident, and the disablement was a happening of the accident."

When you look at that section you'd almost say the benefit of the doubt was given; then you go back to section 1(1) of the Act and it's difficult to understand the true interpretation of it. It says: "'Industrial disease' means any of the diseases mentioned in schedule 3, or any other disease peculiar to or characteristic of a particular industrial process, trade or occupation."

In one section you give it to him, and in the other section you remove it. Then it comes back, in part I of the Act, and spells it out very clearly, section 3(1), the disablement rising out of and in the course of employment. Well, you have to look at that, and the Leader of the Opposition (Mr. Lewis) is quite right in what he says on some of the things, and I support some of that as it relates to industrial disease.

I've had a number of occasions working with local 6200, that's at the International Nickel Company in Port Colborne, where Mr. Peter Kovacich was the compensation chairman. We had, for a number of years, dialogue with the Ministry of Health as it relates to the occupational health section. Dr. Ernest Mastromatteo and, I think Dr. Sutherland were there at the time; and we presented a number of cases of suspected cancer—I shouldn't say suspected cancer, cancer—persons who have died from cancer. I think there was a list of about 252, and it relates to larynx cancer, sinus cancer, intestinal cancer, lung cancer, and we've been trying to bring to the attention that there is a difficult area, particularly in the manufacturing process of

nickel. Through these meetings we've been successful, I think, in winning one particular case as it relates to sinus cancer, but there have been other cases in the industry that were not allowed for larynx.

It's pretty hard to just say where do you draw the line with it, and I think perhaps I should mention it. I don't want to read it into the records, but back in 1968 or 1969, I think it was, we made an appeal to the Workmen's Compensation as it related to claim number S-7805085, and there were some leading questions put to the Minister of Health at that time on the order paper. That information obtained from the Minister of Health, I think, was one of the main factors in establishing a claim for this particular person. I think, if you go about it in the right way, that the Ministry of Health is helpful—perhaps not to the liking of all of us—but I think they do, to the best of their knowledge, give the information available.

When I sit back and look at those two particular clauses or sections of the Act I've quoted, you say, how far does compensation cover? I have a letter I've written to Mr. Kerr concerning a person who worked at the International Minerals and Chemical Corporation (Canada) Limited in Port Maitland. One can recall in that particular industry back in 1967, I guess it was, there was a programme, The Air of Death, and then there was a study implemented by the Ministry of Health, and that's pretty well documented, on the problems in that particular industry as they relate to chemicals and fluoride.

I'll read the letter, at least part of it anyway. "You have expressed the opinion that Mr. Rivard's chronic bronchitis should be compensable and have requested assistance in having him considered for entitlement under the Act. At this point we do not have sufficient information to establish a file for consideration. As you know, chronic bronchitis is not an industrial disease under the Act."

Hon. B. Stephenson: At this time.

Mr. Haggerty: You see? That's an example. Yet, if one had worked in that area it was nothing but a dust bowl. I don't know if the conditions have changed in the last two or three years but it was nothing but a dust bowl in the manufacturing process for fertilizer.

The Minister of the Environment has had work or stop orders on that particular plant

over the years to improve the working conditions and the outside environment conditions. When you put a stop order on a certain industry, there must be a problem of occupational health inside the plant and health hazards outside the plant.

I have another one here concerning a person trying to establish a claim for silicosis. I should read this one into the record. It's Workmen's Compensation claim 3115190, and this is from the Ministry of Health provincial chest clinic. I might say I've spent some time with the Ministry of Health looking over a number of x-rays at the office just off of Queen's Park where there is a Dr. Dagenais, is it? Is that right?

Hon. B. Stephenson: I can't remember how you spell it but I think that's almost the way you pronounce it.

Mr. Haggerty: Something like that. I was amazed that they sent me the x-ray plates. The minute I saw the envelope I knew what it was but I can't understand them. He was good enough to show me other cases of the problem as it relates to silicosis. The letter says, "Dear Sir:

"I'm in receipt of your letter dated August 6, 1976, including chest x-rays and clinical records of the above named. I advised the person one year ago to seek re-evaluation of his medical status through the Workmen's Compensation Board.

"He was last seen by Dr. Shaver of the Shaver Hospital, St. Catharines, on November 2, 1970, at which time Dr. Shaver was of the opinion that Mr. So-and-so did not have compensatory silicosis. However during the past years, Mr." —I shouldn't mention the name—"complained of progressive breathlessness and thought as there was no change in x-ray appearance there was a possibility that his clinical condition was worse, which may have improved his eligibility for compensation.

"I saw this person again in May 1976, when he informed me that his claim for a disability pension relating to silicosis had been rejected by the Workmen's Compensation, and I advised him that a further appeal at the present time would be futile.

"Upon receipt of your request I have reviewed his x-rays again, dating from March 1975 back to 1962 and there has been no appreciable change allowing for differences in techniques. I also perused his clinical files dating back to 1960 and there is nothing of significance to help his claim.

"According to these records, he had a previous history of underground mining of 23

years and had been rejected for further such employment since 1949 because of x-ray appearance.

[10:30]

"According to the records at the Shaver Hospital he again worked underground for one year at Elliot Lake in 1957, three years on the surface." And there is a question mark there. "His main complaint has always been shortness of breath. The problem is that whilst x-rays show evidence of silica dust inhalation, progressive changes can neither be demonstrated nor have any complications of silicosis developed such as heart disease or disabling emphysema."

That's an interesting comment there, isn't it?

"Further investigation such as needle biopsy or open lung biopsy are contra-indicated considering the unreliability of such findings in tissues and patient's age—even if a simple cervical lymph node biopsy would confirm tissue changes due to silica dust, it would not help his claim—silica dust inhalation alone does not automatically merit a disability pension."

You see, it's already a drawn conclusion, but yet, you know, the person is in fact disabled. He hasn't been able to be gainfully employed. He's had to go out and work the odd job around through the community and he's struggled almost 30 years with this. And yet, you know it's an occupational health disease. Yet if a person has got to go through this, what's going to have to happen here is that the person will die, an autopsy will be taken, and then it will be proven. But it's too late then.

Yet's he's got difficulties. There is no doubt about it, he has a chest disease. But the odds are against the worker. How do you prove it, in a sense, they are saying—and I think this is what the leader of the NDP was trying to convey to the committee here—it's rather difficult.

But yet under the sections of the Act, you tell it at one minute that the benefit of the doubt is given, the next minute you remove it. When you sit back and look at the conditions that some of these men are employed in—for example, here is one here that's rather interesting.

This is at the International Nickel Company in Port Colborne and relates to the quality of water in the plant. This was brought to the attention of the Ministry of Health and tests were taken by a public health laboratory test and the water was proven to be safe to drink—no bacteria

found. But let's find out what was in the water that the men were drinking, not only in the plant, but in the city of Port Colborne.

It says here: "The Ontario Department of Health, Occupational Health Laboratories, 360 Christie Street, Toronto. A sampling of the drinking water collected at the International Nickel Company, Port Colborne, by H. Todd." The report was June 15, 1971. "Element: mercury, 0.003; copper, 0.05; manganese, 0.01; nickel, 4.8; zinc, 0.01; cadmium, 0.01; lead, 0.001; selenium, 0.001."

Yet you can find studies made throughout the world, and this is taken from the Occupational Factors in Carcinogenics, Public Health Department, United States. It goes on to say, "The author reviews the history of the occurrence of cancer in various occupational groups resulting from exposure to specific carcinogens." Examples are the occurrence of cancer in workers exposed to hydrocarbons; bronchial cancer in workers employed in the chromium industry; other inorganic carcinogens are cited among arsenic, nickel and asbestos dust. The importance of the study in occupational exposure to possible carcinogens is emphasized.

You can go back and you can go into detail; studies have been made in the United States, all throughout the world, on matters concerning cancer. I think as Ralph Nader has stated—I'm just quoting from memory—about 90 per cent of cancer is caused by some form of air pollution. He's done enough research into it too, you know.

Hon. B. Stephenson: I wouldn't go so far as to say that.

Mr. Haggerty: Pardon? I'll tell you he has brought it to the attention of almost everybody on the North American continent, that it is a serious problem.

Hon. B. Stephenson: You said he has done enough research to be able to make that statement, and I'm not sure that that's—

Mr. Haggerty: Well, it's a matter of ten years and perhaps there's other members previous to my time in the House who have brought this to the attention of the government. But what have you done in research here in Ontario? What have you done? We depend upon somebody else to do the research. In relation to the nickel hazard—conditions in and around the nickel operations and the manufacture of nickel—you can look to England. They have done an enormous amount of research and you look and see what was done for the workers over there as relates to cancer.

Hon. B. Stephenson: In terms of compensation I'm not sure it's all that great. May I just respond to Mr. Haggerty's statements? To my knowledge, one of the points that you brought up was the problem of carcinoma of the sinus, particularly in workers in Inco plants, and to my knowledge no individual who has developed carcinoma of the sinus has been refused compensation. Not one.

Mr. Haggerty: Why larynx?

Hon. B. Stephenson: Because that one has not, as yet, been established. It is being reviewed right now. It was reviewed by Dr. Mastromatteo and Dr. Sutherland and the specific standards were established upon the recommendations which they made.

Mr. Haggerty: It's been reviewed back as far as I know; I mentioned Local 6200—we have been meeting with the Department of Health back as far as the early Seventies.

Hon. B. Stephenson: And to my knowledge it is presently under review again right now.

Mr. Haggerty: As I mentioned, I think there are 252 cases of cancer from this particular industry.

Hon. B. Stephenson: Cancer of what?

Mr. Haggerty: Intestinal cancer, cancer of the larynx, sinus.

Hon. B. Stephenson: I know this is a very difficult area and it's a difficult area to keep out of the totally-emotional field, but it is impossible in many instances—

Mr. Bain: Get emotional!

Hon. B. Stephenson: Well, I do about some of them, I have to tell you, about most of them. But I think you have to be prepared to understand that those people who are doing research—and there are a number of them in many of the fields that you are concerned about—are also acutely aware and publish and report constantly that the factors involved are multiple and that the difficulty is to establish the relationship on even a probability basis between certain environmental factors in the work place or elsewhere. It's all very well for Ralph Nader to make us aware and to make us concerned. That's right. That's his role. But to say that he has done enough research to state that 90 per cent of all cancer is due to air pollution is irresponsible, because he doesn't know that.

Mr. Haggerty: But I don't know. I'm not quite sure that 90 per cent is—it's in that area somewhere.

Hon. B. Stephenson: But there are researchers who are attempting to establish those probability bases for causal relationship in a number of problems which we have, including chronic bronchitis, which has been a problem which has plagued Great Britain for centuries, primarily because of the kind of weather they have.

Mr. Haggerty: I suppose other studies will indicate, too, the burning of soft coal, and that's right.

Hon. B. Stephenson: Coal is a part of it as well, yes; but there are a number of factors and are the factors directly related to the working conditions or the work places? That's the thing that's important, and that's the thing that we really have to be establishing responsibly. That's precisely what we are attempting to do. Precisely.

Mr. Haggerty: How long does it take you? I mean, just the other—

Hon. B. Stephenson: It depends on the capabilities of the researchers who are doing it—this is the point—and the numbers who are doing it. As I have said before, and I will say again, the medical profession has to take a great deal of the blame for this, because indeed not enough research has been done in many areas and it's not only in Canada that we have lacked this research; we have lacked it right around the world. There are lots of publications. They have been going on for a number of years and they are not epidemiologically sufficient to base decision on at this stage of the game. We do have to pay more attention to occupational health. That's precisely what we are trying to do. We do have to pay more attention to the development of adequate research in this area. That has not been done, not in any jurisdiction. There has not been adequate research in any jurisdiction about occupational health problems. Not anywhere.

Mr. Haggerty: But we do know then that air pollution, the toxic chemicals—

Hon. B. Stephenson: Can be a problem.

Mr. Haggerty: —can be a problem and that's where the benefit of doubt should come into the picture.

Hon. B. Stephenson: And it can be a problem specifically to certain individuals

who have a propensity to certain kinds of diseases which were built into them as a result of their structure, the structure they inherited, their genetic structure from their parents and their ancestors. There are just so many factors involved in this that must be considered, but they must be considered rationally and sensibly.

Mr. Haggerty: Two weeks ago I was pursuing the matter about the water quality in the Great Lakes system and I asked the Minister of the Environment (Mr. Kerr) if he could assure me that the water that we are drinking in the province of Ontario is actually safe to drink. He says you can rest assured it is safe. Only the International Joint Commission—just yesterday, I think—made an announcement stating there were 40 toxic chemical agents—forms of pollution—now in Lake Ontario and they are deeply concerned about it.

Hon. B. Stephenson: They certainly should be deeply concerned because if that continues, all of those chemical agents may reach an unsafe level.

Mr. Haggerty: That's right.

Hon. B. Stephenson: And what the minister was telling you was that at this point in time the water which is being used in Ontario is at the safe level, as far as we know. And, as I told you before, the limits of knowledge are rather narrow in this area and in many areas.

Mr. Haggerty: The same thing relates to this matter I raised about the quality of water in the industry back in the city of Port Colborne, you know. People thought the water was safe to drink.

Hon. B. Stephenson: Are you suggesting it's unsafe to drink in that—

Mr. Haggerty: I would say that.

Hon. B. Stephenson: You may say that, but I can tell you there are many researchers who wouldn't agree with you, and many experts who believe those levels are reasonable and do not necessarily cause any kind of human discomfort.

Mr. Grande: Many don't agree and many agree. Right? And that's where the stalemate occurs.

Hon. B. Stephenson: No, I'm not saying that at all. What I'm saying is that certain levels have been established as safe levels for human consumption regarding water.

Mr. Haggerty: I'm sure if you were to run tests in a laboratory with animals and give them 4.8 per cent of nickel day after day in their drinking water I bet you would find some difficulties that would be there.

Hon. B. Stephenson: I'm sure in some animals you would.

Mr. Haggerty: That's right.

Hon. B. Stephenson: Not necessarily the human animal, though.

Mr. Haggerty: I'm sure if it will affect animals it will affect human beings also.

Hon. B. Stephenson: I'm not going to make any bets on it because I don't know. I don't believe anybody else knows either at this point.

Mr. Haggerty: But the point that I raised to the minister and to the chairman of the Workmen's Compensation is that the risk is there, the hazard is there, and no doubt about it, it can be related to the occupational field. In that particular instance the benefit of the doubt should be given under section 3(1). I think under section 1(e), your schedule rating as it relates to the regulations must be changed. And if we have to sit here as members of the Ontario Legislature waiting for the chairman or the minister to give directions to change the regulations, then I think by all means we should have it done by the Legislature, then we will get some action done. Because it is long overdue.

Hon. B. Stephenson: It would seem to me that that section in fact is broad enough to give the board the power to make the kinds of changes which are factually supportable, but—

Mr. Haggerty: Well then, why don't they move? What do you have to do to get them to move?

Hon. B. Stephenson: But that is precisely what is happening, Mr. Haggerty.

Mr. Haggerty: It's happening. You keep telling me that.

Hon. B. Stephenson: The board has been moving.

Mr. Haggerty: The previous ministers told me that for years and nothing has been done since.

Hon. B. Stephenson: No, that's not true and you know that. Gastrointestinal cancer has been permitted for asbestos.

Mr. Bain: Mr. Chairman, she can't say a member of the House is misleading us.

Mrs. Campbell: No. She can't say that's not true.

Interjections.

Hon. B. Stephenson: It would be better for you to go back and look at the facts to see the changes that have been made in the allowances for compensation for industrial illness over the last several years, which were not in the list before at all. But very definite moves have been made in this province and I think that it is just not factual then to state that nothing has happened because it has.

Mr. Haggerty: All right, we will go back to the Ham commission report as it relates to lung cancer and quoting from the book:

"From the beginning of the development of the uranium mines, the mines engineering branch of the then Department of Mines, the Ontario Mining Association, and the Mines Accident Prevention Association were aware that they posed unusual potential hazards to health because of the highly siliceous ores at Elliot Lake and because of radiation at both Bancroft and Elliot Lake."

There's your answer right there. They had been told before that there was a problem there.

Mr. Wildman: But the workers weren't told.

Mr. Haggerty: That's right. But it goes on to say this that the workers were led to believe that it was a safe place to work. There was no occupational health hazard there whatsoever. Now that's research done and he has had a number of capable persons dealing with that particular report. So you sit back and say improvements have been done. Improvements will be done after this report. To me, it's still a damning report of the lack of government initiative in bringing about good clean occupational health working conditions in the Province of Ontario.

[10:45]

Mr. Grande: Mr. Chairman, I would like to begin by asking a series of questions and I hope that some answers will be forthcoming to them.

To begin with, I would like to ask if it is possible for us to be getting a list of all the doctors that work for, or are attached to, or used by the Workmen's Compensation Board.

Mr. Starr: Yes, we can give the doctors who are on our payroll and I suppose we can

also give the list of all the doctors in the province of Ontario. We could give you a complete list.

Mr. Grande: I have a list of hundreds of names here—

Mr. Starr: We can supply you almost 10,000 names.

Mr. Grande: —that are working for, or attached to, or used in a consultant fashion—

Hon. B. Stephenson: No. All the physicians in Ontario relate to the Workmen's Compensation Board except for those perhaps who do pediatrics or something of that sort because we don't have child labour in the province of Ontario. But all practising physicians relate in some way to the Workmen's Compensation Board because they see patients who come under The Workmen's Compensation Act.

Mr. Grande: There are no particular doctors that the Workmen's Compensation Board specifically refers injured workers to?

Hon. B. Stephenson: At the first instance or for consultation?

Mr. Grande: For consultation. There isn't a list that the Workmen's Compensation Board has, from which it says to an injured worker, "I would like you to go and see this doctor. I refer you to this doctor"?

Hon. B. Stephenson: No. The consultation depends upon the special capabilities of the physician only and there isn't any special list that is used.

Mr. Grande: I hope you will provide me with that kind of a list, and I—

Mr. Starr: Those that are on our payroll and those that we use?

Mr. Grande: Let me be more specific. You were mentioning yesterday about the fact that there are some senior doctors whose advice you take to be more central to the man's condition. You said there are senior doctors whose reports carry more weight than other doctors.

Hon. B. Stephenson: Yes, the recognized expert specialists in a field; for example, an orthopedic surgeon who happens to be a recognized expert; a chest specialist who is a recognized expert in the field—on the basis of the peer review, his colleagues in the medical profession would consider him to be the senior consultant in that area.

Mr. Grande: Do you have a list of those names?

Mr. Starr: We can provide them.

Hon. B. Stephenson: I am not sure there is any list specifically.

Mr. Starr: No, but we will make up a list.

Mr. Grande: Secondly—and please try to be specific, because here is a particular area where I, as a representative supposedly of some of the injured workers that come before the board for appeals, seem to be completely at a loss—what are the criteria which are used, either by the pension department or the Workmen's Compensation, to decide what percentage disability a worker has? I would like some kind of specific criteria. Now, if you are going to say to me that it depends on the condition of that particular worker, somebody has to be making the evaluation on some particular criteria and that's exactly what I am asking for. Is it possible to get that?

Dr. McCracken: The criteria to decide the percentage of impairment following injury when a person's condition has become static is based upon the medical information in that person's file and the majority of that medical information in the majority of files comes from his family physician and this is taken into consideration. It comes from the consultant that the family physician has made his choice to refer his patient to and this is the way it should be and this is the way that it is. In the vast majority of cases we encourage the family physician to make his choice as to what consultant he wants his patient to go to. His report is on file and it is taken into consideration.

As was discussed yesterday, I believe Mr. Harding pointed out that the physicians at head office, when they are discussing the case with the attending physician, if he doesn't know exactly who he would like to have see his patient, they suggest to him: "If you would like us to set it up and if you would like us to suggest a good consultant along this line, we are prepared to do so." But only with the agreement of the family physician.

There are other situations which were discussed yesterday where the case becomes more complex, where more consultation input is required. This is where you get into the second-opinion and the third-opinion situation, where we might feel, in order to try to clarify the medical information, that a senior opinion is required. Or if it is in the appeal system, it might come to the point where a medical referee's very senior opinion is required.

As was discussed yesterday by Mr. Harding, in a situation like that, we select people who

are not working for the Compensation Board. They are people who stand out among the medical profession as being the very senior knowledgeable people in their speciality. In other words, they are the best. We take a list of three, four, five names and say: "Here are the people we think are the best and would you select one of these people so that we can get his opinion?" So that this is the way that the criteria develop.

Having done all that, when it comes back to permanent disability, all of these reports are taken into consideration by the physician in the permanent disability—because the physicians have nothing to do with pensions, I should point out—the physician in the permanent disability area takes all these medical reports into consideration. He takes all the data into consideration, operative reports from the hospitals and so forth. Having done this and in 80 per cent—and I want to make this clear—in 80 per cent of the cases, the people are examined by the physicians; not 100 per cent, but 80 per cent.

In other words, what I am saying—putting it the other way around—one in five cases have the decision made without any skewing of the information by the pensions physician examining a person. In other words, the data supplied by his attending physician and by the consultant are used to determine the degree of permanent disability. This is excellent and the more we can get of this the better we like it.

We want to accept the data of the physicians, but at the same time we have a responsibility to make sure the data is applied in a uniform fashion. We want to make certain that for a given degree of disability, Mr. Jones gets the same evaluation as Mr. Smith. This is one of the great functions of the permanent disability physicians.

Coming back to the permanent disability physician, in 80 per cent of the cases he examines the person in conjunction with the medical evidence on file and comes to the decision as to what the person's percentage of impairment is. So it is a multiple-origin input. The pension physician is not the person who makes the decision as to what the degree of disability is; he only makes it based upon the evidence of all the medical data on file. I hope that answers your question.

Mr. Grande: But one carries more weight over others.

Dr. McCracken: Only by seniority. In other words, the professor of surgery, his opinion—I'll be quite frank—in a surgical case,

the opinion of a professor of surgery at the University of Toronto is obviously in our eyes going to carry more weight than a general practitioner.

Mr. Grande: I'll come back to that in the course of my comments. If I can go ahead with the questions right now: The last two days I have been sitting here very calmly. At times I wanted to burst, but due to the fact that I assumed the Workmen's Compensation Board and the people working within the Compensation Board are there for a purpose, are there to do a job, are there to protect the workers, I accept that responsibility of yours and I accept my responsibility as an MPP that when I see injustices are done, I'm going to be fighting hard to make sure justice is done where it is due.

One of the terms which really—I don't know how to say this—but one of the terms that seems to be cropping up over and over again is this term "co-operation"; as long as the injured worker co-operates with the Workmen's Compensation Board in the rehabilitation process, then he'll continue whatever payments were made to him. Now, again, please be specific, what is "co-operation"? Do you mean that no matter what is told to him by the rehabilitation officer or by a nurse or by a physician, the injured worker must try to locate a suitable job, whether he would be suffering, and knows inside himself that he would be suffering excruciating pain to do that process?

Mr. Starr: The co-operative effort, as it is set out under section 41, has to do with the payment of full compensation based on the co-operation with the rehabilitation officer. The purpose of that is that he must prove that he is actually going out and trying to locate a job suitable to his ability to perform, at the same time that he is also going to where the rehabilitation officer may, through his efforts, also try to locate a job for him and that he would present himself. As long as he's doing that, that is the full meaning of the vocational rehabilitation. It's not very difficult.

Mr. Grande: Let me go back to the Downsview scene. If a worker has a back problem or a leg problem, no matter what the problem may be, and the people there responsible will give him a certain particular set of tasks that he should be performing, and the worker says, "I can't do that it is going to be painful to me, I know it, I feel it," is the worker forced to do those particular tasks? If he is forced to do those particular tasks, doesn't the worker have a say in terms of

the kinds of things that are painful to him, and if he doesn't do it, is that not co-operating with the programme?

Mr. Starr: Dr. McCracken is responsible for the physiotherapy at the hospital. That's not vocational rehabilitation at all, that's physical rehabilitation of the individual's body. I wonder if the doctor would like to comment on it.

Dr. McCracken: Any type of treatment that is carried out by the treating physician, that is, outside his own physician, or that is carried out at the hospital and rehabilitation centre, is on the basis of treatment carried out anywhere else. Namely, that the person who is under treatment is the final judge as to whether or not he will accept the treatment. This is a well-established fact. In the practice of surgery, periodically down through the years I ran into this fact, where I would recommend to a patient that he or she required surgery and that patient would say, "Doctor, I don't want to be operated on." No matter how I felt, that person has the right to make that final decision and this is exactly the way it is in the treatment programmes.

Mr. Grande: What happens to the benefits if the person refuses to do that?

Dr. McCracken: Nothing.

Mr. Grande: The benefits will continue?

Mr. Lupusella: Now you are saying a paradox of words.

Mr. Grande: The benefits will continue in other words, if the person says: "Look, this physiotherapy, these tasks that you are asking me to do at this particular stage of my physical rehabilitation, I feel they are very difficult, they are going to be causing me pain." You are saying that if the injured worker refuses that, nothing happens to his benefits.

Dr. McCracken: I can't think of any case at the hospital and rehabilitation centre that I'm aware of, where because of a person stating to his physiotherapist or occupational therapist he can't do a certain type of activity, his compensation payments have been terminated at the hospital, no.

Mrs. Campbell: He is shipped out, then he is terminated.

[11:00]

Mr. Grande: Not terminated perhaps. They are told "Well, you are not co-operating with rehabilitation, you are not co-operating with it."

Dr. McCracken: That's not vocational rehabilitation, this is part of a rehabilitation programme.

Mr. Grande: You have specific terms in the trade which perhaps are foreign to me at this particular time. I'm talking about rehabilitation in terms of vocational and of physical rehabilitation. In other words, I'm seeing the injured worker as a person who suffered an injury or work-related disease in the field on his job. Then the job of the Workmen's Compensation Board is to get that person physically, emotionally and otherwise ready to take ample employment.

Dr. McCracken: Correct.

Mr. Grande: Therefore, when I talk about rehabilitation I mean both terms, both vocational and the physical rehabilitation.

Dr. McCracken: What I'm saying is that I'm not aware of compensation payments having been stopped at the hospital because of a person saying he can't do a certain type of physiotherapy or occupational therapy.

Mr. Wildman: Will he be sent home?

Dr. McCracken: He will be sent home if he requests it, but what happens is that they change the programme. He is seen by the treatment team, headed by a physician who is in charge. The details are discussed that he can't do this or he says he can't do it because he's fearful that it's going to hurt, and the treatment team will change the programme. This is what happens; this is the rule. He's not discharged from the hospital unless he, as the individual, says, "I can't do it and I want to go home."

Mr. Kerr: May I just add that the patient is entitled to full compensation when he's at the hospital and rehabilitation centre. If he is having some problems concerning treatment, for those of us who are charged with the responsibility of paying him his full compensation, this has no effect on his compensation. He's at the centre and the treatment team is trying to resolve a treatment problem or an approach to help him improve his condition. As far as we're concerned in the claims area, he's under treatment at our hospital and rehabilitation centre and full compensation continues while he is there.

An hon. member: And once he's out.

Mr. Wildman: That terminates when he goes home?

Mr. Kerr: No, not necessarily, it depends on the conditions.

Mrs. Campbell: There are an awful lot of exceptions to this rule.

Mr. Kerr: One area where co-operation is essential, and it's right in the Act in section 41(b), is in the area of vocational rehabilitation. That's where we pay the supplementary full compensation while the man is partially disabled, as the Act says, while he's co-operating in a rehabilitation programme. As the chairman of the board said, what we look for there in claims is a report from the man's rehabilitation counsellor, that he's engaged in some kind of return-to-work programme. It does not have to be a re-training formal programme and it doesn't even have to be training on the job. It might be that the man himself with the help and co-operation of the rehabilitation counsellor is looking for work. That is one area where that kind of co-operation is essential for him to receive full compensation while partially disabled. I hope I've tried to clarify the two different situations.

Mr. Grande: I'm asking these questions obviously with a purpose and I will be back to them. Another question is, could you possibly supply this committee with a list of employers in the construction field who are close to the maximum or at the maximum number of accidents allowed before the rate for \$100 of wages doubles?

Mr. Greaves: We have a programme in our computerized system that will select annually the firms that meet the criteria for a double assessment, a section 86(7) assessment. This means that the firm must have lifetime deficit cost experience with the board, that is to say, that for the years that the firm has been reporting to us their accident costs in total has exceeded the amount of assessment that they have paid. That's a lifetime deficit.

Then to bring that up to date, the firm must have deficit cost experience in two of the past three years; that's the second factor. The third factor is that the firm must have a frequency rate of compensable accidents at least 25 per cent higher than the industry average in two of the past three years. When those three conditions exist the programme brings that firm on to a list and we get a look at that each year.

Hon. B. Stephenson: Mr. Chairman, if I may, the mechanics of developing this information have been explained. The bill which was passed in the House this week will, for the first time, I think, permit an employee

to demand that information from the board through the employer. Bill 139 permits that. I don't know whether it can be supplied to this committee. It seems to me that it must be supplied at the request of an employee or a trade union through an employer to the employee or a group of employees or to that trade union, and from that source the information I think can be given to specific companies. I don't know at this point, without really examining all the legislation, whether the board could supply the information to this committee. I don't know. It could be acquired through the mechanism which I've laid out.

Mr. Laughren: Surely the committee is an extension of the Legislature?

Hon. B. Stephenson: I don't know. I said I would have to explore it to find out whether that could be done.

Mr. Grande: Let me give you perhaps one reason which I consider at this particular time, because I have no information in this area; I'm just exploring it. One reason is that I hear from a lot of injured workmen and non-injured workmen in plants who are saying that the employers do their best to prevent an injured workman, whatever the injury might be, whether slight or more serious, from filing papers with the Workmen's Compensation Board.

I'm just wondering if that relationship exists, between being close to maximum before the rate doubles in the three factors that the gentleman talked about, and the fact that the papers are not filled out so that this workman can be on workmen's compensation. As I said, I'm in an exploratory stage at this particular time and I don't want to make any accusations whatsoever. I would like the facts, the information, upon which I could come to a conclusion. It's not just one person complaining. The complaints are many.

Mr. Starr: Let us take a closer look at it, and if we can do it, Mr. Grande, we will.

Mr. Grande: Thank you.

Hon. B. Stephenson: If I might say, you can always recall as well that the employer is not the only source of pressure insofar as the application for workmen's compensation is concerned. When that individual attends a physician, the physician is obligated, if the injury occurred at work, to complete the medical form and that submission to the Workmen's Compensation Board could initiate the kind of activity which would be necessary to persuade employers to comply.

Mr. Grande: That's provided the employee is not put in a position that he will not even seek a physician. Let's be realistic about it. If an employer says: "Don't go to Workmen's Compensation. If you do that, you're out tomorrow." I mean it's happened. There are two cases where this has happened and the worker just kept quiet. He happened to be speaking to me months later, and it doesn't seem that I can do anything about it, because he hasn't gone to a doctor and the employer has not filed papers, and even though he should be aware of the right that he himself could go to the Workmen's Compensation Board and could begin the process, the employee has not done that.

There are some threats out there by employers on employees, and I would assume especially in non-unionized shops. As I said, I don't want to make any charges, I would just like to have the information so then I can begin to link where these people worked with the possibility of this particular plant or this particular construction site being at the maximum or close to the maximum before it doubles.

I would like to go on for a few minutes and, first of all, I would like to start off with some political observations. I am glad that my leader yesterday placed on the record what the chairman of the Workmen's Compensation Board did say in his beginning address. Perhaps there's no need to do it again; I think all the members of the committee are aware of it.

One of the things the chairman said was, "I am not suggesting that there's an increase in fraudulent abuse or malingering." As soon as you put those words in any record, that's exactly the intention which is going to be transmitted to the public. My leader was saying it is refreshing that finally you are showing political colours and—

Mr. Starr: I even wore a blue tie today. My disguise is better.

Mr. Grande: Great. We know your political colours but that's fine. I don't think the government is going to appoint as chairman of the Workmen's Compensation Board someone who is a card-carrying member of the New Democratic Party. I don't expect that.

Mr. Starr: That's been done before.

Mr. Bain: Not by this government.

Mr. Grande: The thing that concerns me is that the intention or at least the inference projected through those words is you have done nothing else but put injured people in this province on exactly the same level—I

am not making any comparisons—as the people who take advantage of the public purse.

Mr. Starr: It may be your opinion but it's not the injured workers' opinion.

Mr. Grande: All right. It is my opinion. When I saw that in the *Globe and Mail* yesterday, I was really upset at that kind of thing taking place. It reminds me of nothing else but another Taylorism—

Mr. Bain: James Taylor, the Minister of Community and Social Services.

Mr. Grande: —which said to the people that no one was going to suffer as a result of his cut-backs when around him at meeting after meeting, he had thousands of people who were suffering. That's a disturbing fact because what you are attempting to do, and I understand the politics of it, is to polarize people and place the injured workman, who has a right under the law to be receiving compensation while he's injured, as taking advantage of a public purse.

Mr. Starr: The majority of injured workers look to me as a friend.

Mr. Bain: Why did you make those statements then?

Mr. Starr: I am not worried about your statement at all.

Mr. Grande: Fine. Let me go on from that kind of political observation — I have to say it because it affected me that way. There was another political observation and I suppose this is more in the realm of the whole economy and seeing the Workmen's Compensation Board not in a vacuum but in the realm of the whole economic structure. It seems to me that the Treasurer (Mr. McKeough), the Duke of Kent as he is known—

Mr. Starr: Is he on the board?

Mr. Grande: I am trying seriously—

Mr. Wildman: The board of directors of Ontario.

Mr. Grande: —Mr. Chairman, with your indulgence—

Interjections.

Mr. Grande: —to express an idea in terms of the Workmen's Compensation Board vis-à-vis the economic system. The Treasurer seems to be the one who speaks for the economic system, supposedly, in this province. In a submission he made, entitled *Summer, 1976*,

Ontario's Comments on Several Current Economic and Fiscal Situations, he says that what is needed in the province and indeed in the whole of Canada is an increase in productivity in economic terms. In other words, he is saying that productivity is decreasing. As a matter of fact he says that productivity dropped by almost 2.5 per cent last year.

[11:15]

Putting that kind of thing in context and hearing employers and corporation economists talking, they're saying the only way that we can improve the productivity is to throw people out of work. If you have 100 people, for example, producing 100 tons of steel in a week and if you throw 30 people out of work and you have 70 people producing 100 tons of steel per week, then you've increased your productivity.

Another means to increase productivity, I suppose, is to increase automation. By increasing automation, what you do is put people out of work. Therefore, the unemployment situation has to be seen as nothing else but those particular forces, the force that automation has on the economy and the fact that employers seem to be saying through the Treasurer of the province of Ontario that productivity has to be increased and the only way to increase it is by throwing people out of work. I suspect the unemployment situation in this province and in Canada as a whole is going to be on the rise year after year after year.

If you are shaking your head at that, for one minute let's take a look at the trends. Since you're concerned about cause and effect, the trends that have been made in economic studies seem to suggest that by the year 2000, if automation is allowed to develop to the fullest, we could be faced with five per cent of the work force producing all the goods and services society needs, five per cent of the work force. What is going to happen to the 95 per cent of the work force right now and to the other people that are going to go into the work force?

The reasoning for this particular digression—and it's really not a digression because it is putting the Workmen's Compensation Board in context—is that there is no motivation whatsoever from the economic establishment vocationally to rehabilitate workers back to their jobs. There's no motivation whatsoever, because if the employers keep insisting that the only way to increase productivity is through diminishing employment, through getting people out of jobs, then what is the point of spending thousands and perhaps millions of dollars in trying to

cure and rehabilitate injured workers so that they can find a place once again in the economy and the work place?

It seems to me that right from the start, the economic situation being as it is, it is not profitable to the employer to have the employees rehabilitated back into the work force. I was trying to put across some of the forces which tend to work towards that prediction I've just finished making.

Hon. B. Stephenson: There are many that work in the opposite direction as well.

Mr. Grande: All right. Perhaps there are many that work in the opposite direction. I'm suggesting that from what the Treasurer has been saying and by placing some of the comments that employers are making, I can come up to a certain kind of a conclusion. Let me state an observation from Irving Crystal, who is the resident scholar at the American Enterprise Institute and co-editor of a quarterly, *The Public Interest*, in the editorial page of the *Wall Street Journal* on August 12, 1976.

He says "The social order we call capitalism, constructed on the basis of a market economy, does not"—and it's underlined—"believe that society ought to prescribe a fair distribution of income. The kind of liberal society historically associated with capitalism was from its very beginning hostile to any political or social definition of distributive justice." That is the resident scholar of supposedly the free enterprise system talking, and talking about distributive justice and the system itself, he says they are "hostile to any political or social definition of distributive justice."

My point, Mr. Chairman, is that the Workmen's Compensation Board portrays exactly that kind of attitude and that kind of feeling. The Workmen's Compensation Board, as started back in 1914, was instituted for the mere purpose of making sure that the worker, once he is injured, does indeed get justice, and that the worker does not have to go through the expense of having lawyers in order to go to court to protect him, and in the midst of getting compensation maybe he would be so far back in terms of spending \$3,000, \$4,000 or \$5,000 in lawyer's fees.

Let me say to you that the Workmen's Compensation Board got started not for that principle, but got started because the cost to employers was away too much doing it through the courts. The employer had to spend the time too, and had to get the lawyer and had to go to court to do this kind of thing. Once the employer got rid of

that responsibility, that he was responsible for an injury on the job, and placed it on the Workmen's Compensation Board, then the situation arises where the employer in that particular case is relieved of the headache and he can go on about the business of making as much profit as possible without any interference on his time. Those are two forces, perhaps, that started the Workmen's Compensation Board concept, but I suggest to you that the force from the employer was much greater than the force from the employee and from the injured workman.

Another political observation that I would like to make is that in the past three or four years, it appears to me that the Workmen's Compensation Board has completely—and let me tell you, I use that word solely from the people who come to my office at Queen's Park or my office in the riding—completely failed those people. They've come to the point where psychologically they're broken, and that's the only word that describes it. As a matter of fact, I'm going to be using certain cases where you see that the worker, psychologically if not physically, or both, is completely debilitated, and where, if not because of his physical injury, he cannot go back to a job because he's psychologically impaired. That is the result of the Workmen's Compensation Board, for a man who has been going for three and four years, being sent by Workmen's Compensation Board from doctor to doctor, he's been going from specialist to specialist because he says, "I want to get well. I don't want to be suffering. I want to get well on my own, and whatever the board thinks I should be doing, I know what I should be doing to get well." What happens? He's punished for trying to get well on his own.

I'm going to read into the record a letter that this man wrote to me. It's going to be a lengthy letter, three pages in length, in which he outlines his particular case from the time that he got injured all the way down to the point that three years later he was given a \$60 pension. A \$60 pension and that's it. Of course, you will be hearing from this man because I'm taking up this case and I'm appealing his case, because the doctor's reports are as thick as that and indicate that definitely this man is physically disabled, and a \$60 pension does not reflect in any way possible—forget about the pain; forget about the excruciating pain that this man has gone through—does not reflect the particular living condition or standard of living today. No man can live on \$60 a month. It's impossible.

Let me go on with some of the cases, because these, as far as I'm concerned, I consider them to be victories, really victories, hard-fought victories, and I don't think that any MPP, or anyone for that matter, has to consider as victories anything that should be coming by natural justice. I'm going to try my best not to mention names; neither names of doctors nor names of the man, nor give you any claim numbers. If the cases of these particular people were taken up in a very serious way, these cases could have been solved not last month or two months ago, but they could have been solved three years ago.

Let me start with a letter which says:

"On July 4, 1972, I suffered an injury to my lower back and right upper leg at the"—let's forget where he suffered the injury—"where I had worked ever since September, 1963, as a labourer at . . . I was sent by the company doctor to see a specialist doctor about my back condition."

I'm sorry, this is going to be cryptic. Perhaps I should be reading it into the record as it is.

Mr. Lupusella: You should read the names of the doctors. We are not talking about the disability in the medical reports, so we can mention it.

Mr. Grande: All right, I will read it in total, and whatever results from that I will accept as my responsibility. I'll begin from the start:

"On July 4, 1972, I suffered an injury to my lower back and right upper leg at the John Street coach yards in Toronto, where I had worked ever since September, 1963, as a labourer at the CPR yards.

"I was sent by the company's Dr. Varty to see a specialist, Dr. A. M. Wiley, about my back condition. I had a body cast put on me about the beginning of October, which I wore for four weeks before having it removed. He then suggested physiotherapy at the Toronto Western Hospital, which I took until the middle of December, 1972.

"As I was still complaining about my condition, I received a letter from Dr. Wiley's office on January 29, 1973, to the effect that I was booked for a myelogram on Friday, February 2, 1973, that was performed the same day.

"I was released from the hospital the next day, went home and stayed in bed with severe headaches for about four days. I had occasion to see Dr. Wiley again for treatment at the hospital where, again, I had physiotherapy; again no relief from severe pain in back and leg.

"April 1, 1973, I entered Western Hospital again, and this time for a discogram that was performed on me April 6. April 14, 1973, I was sent to the Workmen's Compensation Rehabilitation Centre, where I stayed for a period of six weeks until May 29, 1973.

"All that time I complained about my condition not getting any better, as I was doing a light work programme and also having some therapy. I was told to avoid taking so many pills.

"I entered Branson Hospital on June 4 to have an operation for severe gall bladder that I had removed. Yet, in all the time I was at the Workmen's Compensation Rehabilitation Hospital I complained about my back and leg pain, and they never suggested sending me down to see a specialist, other than that I was first examined when I entered there a few weeks before I was discharged.

"I was discharged from the Branson Hospital June 22 or June 23, 1973. I returned to see Dr. Wiley again for pain in back and leg; had more treatments, nerve blocking or acupuncture, but did not respond.

"April 19, 1974, I received a letter to appear at the pensions board at the Workmen's Compensation Board."

I want you to listen very carefully to this. At least for this man it shows the kind of process that is going on:

"I was physically examined and told to see a man in the pension department who said that I was being given a pension. I thanked him and was about to leave, when he asked me if I was in good physical health. I told him, no, that I was still having treatment at St. Joseph's Hospital. With that, he said he would confer with the doctor I had just seen. He came back and told me that any pension was being cancelled for five months. When I was better, they would see me again about a pension.

"October 9, I again was seen at the Workmen's Compensation pension board. Two doctors examined me. Again, I was sent in to see the person in charge of pension, who said at this time I was to receive a pension on a two-year basis with review. I got up to leave and he asked me if I would try the work assessment at the JVS on Tycos Street. I said if I could do anything at this time I would go back to work. He said 'You mean you don't want to give it a try?' I said I would think about it. He said if I did not agree I would be cut off benefits.

"October 28, 1974. I started work assessment at the vocational training but could

not continue the four hours a day, even though the work was quite light and I was in constant pain and had to be sent home on three occasions. I had gone to see Dr. Wiley who then suggested that I would have to go into the hospital January 23, 1975, for a discogram inspection called kymo papin.

[11:30]

"I entered the hospital on the morning of January 23. As they were taking me to the operating room, I asked the doctor if they were going to put me under. They said they could not tell until after they had inspected me. I got frightened and refused to have it done, whereby Dr. Wiley said I would have to go to another doctor for my condition if I refused.

"I saw Dr. Peter James at the orthopaedic hospital and he suggested deep traction for my condition. I took it for about one week and a half, when I complained to the therapist that I was having pain and I also had ultrasound again and I complained of severe pain in my groin. Dr. James suggested I have treatment at the Workmen's Compensation Board hospital and he wrote them about it. The board decided against it. I was at the time having trouble to receive money from Workmen's Compensation, it also happened to me the time I came out of the hospital at Branson.

"I phoned the Workmen's Compensation Board about it and told them about my condition. I was told to come down to see the doctor a few days later who told me he would write the board that my condition was a back and physical condition. I was getting to be a nervous wreck. On August 11, 1975, I was called into the pension department and again had a physical examination and saw the pension department for the third time. This time I was told about rehabilitation or do I have a job ready. I said no. I was told to make arrangements for getting money.

"I had occasion to see Mr. Mike Starr, the chairman, and explain my situation. He said I had nothing to worry about while waiting for my pension. I had Mr. Lukian Robinson with me at the time. When Mr. Robinson left, a rehabilitation man came up to see me and asked me if I had any job. I said, 'No, I haven't done any work except going back to hospital to doctor to hospital.' He said he would see somebody about coming up with a solution.

"Mr. Brenninger came back to tell me they were putting a stop on my pension and

that they should come up with something and let me know. This was the third time I went for my pension. What the board came up with is that I again was sent to the Workmen's Compensation rehabilitation centre at Downsview. I was again going through the same routine as it was not on the hospital floor I was on. I was doing work assessment again and they gave me five days of heat treatments. I was in pain continually. The doctor told me that my file was getting big and I was discharged September 30, 1975. Dr. Ritchie phoned my family doctor, Dr. Rupert, whom I'd been seeing. Forgive my handwriting, I'm in deep despair. I'm now physically and mentally distraught and exhausted with pain, tears and terror as I rely on my 30 milligrams of codein and valium for the past three and a half years."

Perhaps that doesn't impress you, but it certainly does something to my insides when I see that a man got injured on July 4, 1972 and in November, 1975 received a \$60 pension. I don't know whether you'd like to react to that.

Hon. B. Stephenson: I'd just like to say that I would gather from the letter and my understanding would be that this man was on full compensation until the pension was decided upon.

Mr. Grande: He was on full compensation? I don't know whether I remember the details or not. I definitely have a file. This man has become so dependent as a result of what's going on with the Workmen's Compensation that as soon as he receives a letter from the Workmen's Compensation Board or a telephone call he gets frightened. He's always reverted to an infant stage. He's really broken, psychologically broken. He cries most of the time. He says: "I don't know what to do. I don't know what I'm going to be doing, I'm lost."

In terms of that information, I really don't know. But whenever he calls me, he says: "The Workmen's Compensation Board did not send me the money on time." I say to him: "Take it easy, give them a couple of days. There might be some kind of a mix-up. He says: "Okay, I will give them a couple of days." I think there was one particular time when he was reduced to 50 per cent. I had better not say anything more, because I don't recall the details. Is it your reaction?

Hon. B. Stephenson: No, no, I just—

Mr. McClellan: You abdicate your authority and you just shrug it off.

Hon. B. Stephenson: No one is shrugging it off. I asked the question, Mr. McClellan—

Mr. McClellan: That's precisely what you're doing.

Hon. B. Stephenson: Mr. McClellan, I'm very grateful that you have such insight into my reactions.

Mr. McClellan: You're a very expressive communicator, Madam Minister.

Mr. Grande: All right. If that's the reaction we get for an injured workman who has gone through pure hell for the past three years, all right. Okay, let me leave it at that.

Mr. Starr: I'd like to ask you—I know at the beginning you said you would give us a claim number—

Mr. Grande: I said I will not give you any claim numbers. That's categorically what I said.

Mr. Starr: That's why we have no reaction.

Mr. Grande: All right. All right.

Mr. Starr: If we are able to pin it down to a particular claim, that's fine, but we can't investigate something that's not identified.

Mr. Grande: All right.

Mr. Lupusella: Mr. Chairman, if I might just make a short comment. It seems here that all the time when we present a problem the action of the officials of the Workmen's Compensation Board is getting to the point where they are interested just about the claim number. As I stated in my official speech two days ago, we are not concerned about the individual case. It seems—and I want to address these few words to the Minister of Labour—that the whole operation of the Workmen's Compensation Board is completely nonfunctional. In my budget debate in the Legislature I requested that a royal commission inquiry should take place to study the whole operation of the Workmen's Compensation Board from the inside. The officials of the Workmen's Compensation Board who are running the show down there are responsible for the applications of the Workmen's Compensation Board Act and they are responsible for those people who are suffering the consequences of their policy.

I think it's those allegations which we have been making in these two days, and today is the last day, around doctors, specialists and all of the stuff which we brought to your attention, I think we need a royal commission

inquiry. I would like to get some response from the ministry.

Hon. B. Stephenson: I'm interested in your comment and your suggestion. The reason that I asked specifically, and I'm sure that Mr. Starr asked as well, for the claim number is that the vast majority of individual workers who deal with the Workmen's Compensation Board are entirely satisfied with the function of the board.

Mr. Lupusella: They are not. That's the problem.

Hon. B. Stephenson: If there are problems we would like to know the nature of the problems to know in which area the problem may lie so that, indeed, we may be able to investigate those in order to try to find the solutions for them.

Mr. Lupusella: Don't you think, Madam Minister, that a royal commission inquiry is the most appropriate one? You know that they are going to get into the files, they can find out the operation of the report and find out the policy which is applied. I'm making a second recommendation. I think the Workmen's Compensation Board should appear three times a year before a committee of the Legislature.

Hon. B. Stephenson: Nothing would please me more.

Mr. Lupusella: That's how we're going to find out what they are doing. I feel sorry for the employees of the Workmen's Compensation Board down there because they are not responsible for the policy which those people are making. I am sorry about my remarks, but I feel really frustrated and I think something should be done.

Mr. Chairman: Mr. Grande, have you concluded?

Mr. Grande: No, I haven't. I need a little bit more time, Mr. Chairman, with your indulgence, thank you.

I would like to bring this case up again, which, as I said before, is a victory which I don't want to take the credit for, but I certainly make mention of this because I want to point out what any person, any representative of an injured worker, including the MPP, has to go through in order to perhaps get to the beginning of what seems to be some kind of justice; the beginning of some kind of justice.

Let me tell you, I'm going to be brief on this one, because I definitely don't want to be reading a lot of things into the record. There

are other people, obviously, who are going to want to talk.

This gentleman had an accident on June 3, 1975; he had a neck injury. The Workmen's Compensation Board paid him; then they terminated him, and he went to the rehabilitation centre in Downsview. At the end of the six weeks that he was there, he was declared fit to return to work. Consequently—

Hon. B. Stephenson: Could I just get that straight? The Workmen's Compensation Board terminated him and then sent him to the hospital in Downsview?

Mr. Grande: No, no. Sorry. He went to the rehabilitation centre at Downsview. When he came out of Downsview after six weeks, he was declared fit to return to work. Is that clear?

Hon. B. Stephenson: Yes. But I wanted clarification. You said the Workmen's Compensation Board terminated him.

Mr. Grande: I'm sorry. I apologize. I put the word "terminated" in the wrong place. He was terminated after the six weeks at the rehabilitation centre at Downsview.

Hon. B. Stephenson: Do you mean his compensation was terminated after the six weeks in the rehabilitation centre?

Mr. Grande: That's right. You are clear on that?

Hon. B. Stephenson. Well, yes.

Mr. Grande: Okay. Good. As long as you are. The Workmen's Compensation Board ignored further claims by this gentleman that he did not feel well, that his condition had not improved and could not resume previous activities. On April 28, 1976, the review branch sent this man a letter informing him that they could not continue compensation on his claim.

Hon. B. Stephenson: You said the Workmen's Compensation Board ignored his claim that he could not function—

Mr. Grande: That's right.

Hon. B. Stephenson: —and then eight or nine months later he got a letter from them saying that they couldn't continue his compensation?

Mr. Grande: Okay. Forget it. Let me read from the decision of the commissioner of the board—

Hon. B. Stephenson: I'd like to have it clear, please, Mr. Grande, if you would.

Mr. Grande: Fine.

Hon. B. Stephenson: The man obviously has been on compensation since his release from Downsview. Right? You said he was terminated and then you went on to say that the board ignored his condition, but in a subsequent letter from the board there was a remark that his compensation could not continue.

Mr. Grande: Let me give you the exact dates; I'm trying to be brief, but obviously you are getting confused.

Hon. B. Stephenson: I'm not sure that I'm confused, Mr. Grande.

An hon. member: You have always been confused; that's why we are here.

Mr. Chairman: Order, please.

An hon. member: You are just getting more confused.

Hon. B. Stephenson: No, I want to know the factual situation, because it has been suggested that he was not getting any compensation; then he was getting compensation; that the board had ignored his symptoms and yet they kept him on compensation. I find this confusing, yes.

Mr. Grande: On February 9, 1976, because of the accident that he had June 3, 1975, the Workmen's Compensation Board made a further decision declaring this man fit to work; therefore, no further compensation was given him from that particular time. Are we clear? Okay.

This man continuously claimed that he was not able to do the job. He went back to work for about two days and he came back; he simply could not do that work. He still complained of pain in his neck.

What happened is that between February and September, when the case was appealed, this man—if you had seen him the first time he came to my office, you would have said, "This man needs a psychiatrist." Let me tell you—and I'm being frank with you—that after that interview with him, that was my reaction. He was upset. He was nervous. He was tense. He was ready to tear the ceiling down. He did not feel that justice had been done.

What happened was that, through all kinds of telephone calls between the different departments of the Workmen's Compensation Board, the Workmen's Compensation Board or some department finally agreed that this man should be seen by a doctor. The doctor

that he was seen by was Dr. McNab. Now I understand that Dr. McNab has a good reputation as an orthopaedic surgeon. At least I understand it from the Workmen's Compensation Board and the gentleman—I forget his name—we saw when we appealed the case that particular day.

[11:45]

Now Dr. McNab x-rayed this man's neck and found out that this man had a lesion in the cervical spine, in his neck—a lesion which had not been observed in any other x-rays prior to Dr. McNab's taking a look at that. The appeal was in September of this particular year and, by the way, the appeal was granted.

From February to September of this particular year this man with a family of three children, a mortgage on his home and everything else—because he made good earnings, a good wage when he worked—was forced to go on welfare. As the members opposite want to say social assistance, let's call it social assistance, but he was forced to go on welfare. In other words, he was forced to go to the public trough, so to speak, Mr. Starr, in your own words to get—

Mr. Starr: I never used that—

Mr. Grande: The inference the chairman made—

Hon. B. Stephenson: Those are not the chairman's words. I have never heard them.

Mr. Starr: Don't carry on with these fantasies, if you don't mind.

Mr. Grande: He was forced to go on welfare. It was a decision he had to make which I am sure, knowing this man quite well, was a traumatic experience in itself. In the eyes of his neighbours and his family it is, rightly or wrongly, a degrading type of situation. He was brought to the position that he could not do anything else except apply for welfare. By the way, he received welfare. In September his case was heard and his appeal was granted. All I am saying to you, for heaven's sake, is that if a doctor through x-rays can see that obvious lesion in his neck or at least—

Hon. B. Stephenson: Could you tell me what the lesion was?

Mr. Grande: Let me read from the doctor's report. The doctor says, "On examination, although he is over-reacting a little bit to his discomfort as evidenced by the fact that he only allows movement of the cervical spine

to a range of 20 degrees in any direction, on the whole he struck me as being an emotionally stable young man." By the way, at this particular point this man was sent to a psychiatrist but this doctor says he was an emotionally stable young man, significantly disabled by his discomforts.

"The x-rays were of extreme interest in that they showed disc degeneration of an unusual segment. The cervical lordotic curve is maintained up to the upper border of L 5 and here there is an inflection deformity of the 4-5 disc giving rise to a very straight looking cervical spine."

You are a doctor; you understand this, perhaps. "This is not completely pathognomonic, of course, because anybody who is concerned about their neck and tries to relieve the discomfort by holding their chin down will flatten the cervical lordosis but it is suggestive of the fact that this is the site of his discomfort."

I'm sorry; perhaps I am reading—I am, indeed, reading from the wrong record. It is an earlier report by Dr. McNab which says—

Hon. B. Stephenson: On the same individual?

Mr. Grande: That's right. Dr. McNab saw the individual again and x-rayed him and found out really what the situation was in terms of his neck. I would like to get hold of that.

Hon. B. Stephenson: The earlier report was shortly after the accident? Is that what you're saying?

Mr. Grande: I'm trying to look for it.

Mr. Reid: That is the problem of the board, too.

Mr. Grande: Yes. I have so many cases that sometimes it boggles me how I can keep track of them. It really does.

Mr. Reid: It's a problem with the board trying to keep track of them all, too.

An hon. member: On the board there's not one NDP member.

Mr. Grande: My assistant is a superhuman person. Really she is.

Mr. Reid: I'm not being critical. I'm just making a statement.

Mr. Grande: Perhaps I could read the decision from the commissioner of the board. Let me read it in total so there will be no mistake in understanding.

"The man was originally injured by accident at employment on June 3, 1975. At that time he was working as a labourer with Central Contracting Company and jumped from the platform on the truck to the ground. In the process, he jack-knifed his back and subsequently experienced pain in his neck region and upper arm. He was placed on compensation and was paid from the date of the accident until February 16, 1976, when he was finally released from the hospital rehabilitation centre and declared at that time fit to return to work.

"Mr. Gagliardi has claimed that he is entitled to continued compensation benefit from February 16, 1976, to the present and continuing on the grounds that he is still totally unable to work. Mr. Gagliardi came to an appeal examiner inquiry in Toronto September 9, 1976, together with the MPP as his representative. Mr. Gagliardi was sent to the hospital and rehabilitation centre on December 15, 1975. He remained at the centre until discharged on February 9, 1976. At the time of discharge, the diagnosis was cervical strain now resolved and no psychological disability. At that time, it was felt that since Mr. Gagliardi had stated that he would be able to return to work with his accident employer, no rehabilitation services were needed.

"Mr. Gagliardi was not able to return to work and continued to have neck pain and disability for which he attended his family physician. Dr. Lamenza provided him with pain-killing pills and he continued to wear a cervical collar. In time, Dr. Lamenza referred Mr. Gagliardi to Dr. Ian McNab. An appointment was eventually arranged for him to be seen by Dr. McNab in Toronto.

Dr. McNab recommended that Mr. Gagliardi be admitted to the Wellesley Hospital for a series of tests to determine if a lesion in one or more segments of the cervical spine can be localized and that a decision then be made as to whether surgical intervention will be of assistance. Dr. McNab emphasized that this man has been growing steadily worse throughout the strain.

"On the strength of the medical evidence presented from Dr. Lamenza and Dr. McNab, the board finds that Mr. Gagliardi is entitled to compensation benefits from February 16, 1976, to date and continuing and that he's entitled to the treatment as suggested by Dr. McNab in his letter of June 21."

What I'm saying to you is that on February 3, obviously a wrong diagnosis had been made on this man.

Hon. B. Stephenson: No, that's not necessarily true at all.

Mr. Grande: Please explain it to me.

Hon. B. Stephenson: Disc degeneration of that sort can indeed follow an accident but it is not radiologically perceived sometimes for several years. It is fortunate for this man that it was radiologically perceived at a relatively early date. Dr. Lamenza had some concern about this man continuing to complain about his neck. What was the date Dr. McNab saw him? Did Dr. Lamenza communicate with the board that the man was continuing to have pain and couldn't work—which is a part of Dr. Lamenza's responsibility, I would like to know. When did Dr. McNab see him?

Mr. Grande: The board would know this information.

Mr. Lupusella: If I may, Mr. Chairman, you're going to be really shocked.

Mr. Grande: June 21.

Hon. B. Stephenson: I'm trying to find out what it is that Mr. Grande is attempting to do.

Mr. Grande: What I am attempting to do, Madam Minister, is tell you this man who suffered an industrial accident went through the treatment, went to Downsview, he was discharged from Downsview and declared fit to work. Between February and September, this man had to go to welfare in order to keep up his payments, to keep his family in one piece, borrowing money from friends and relatives alike in order to sustain his family, and then we find out in September that really this man's case is compensable and that he should not have been discharged back in February.

Hon. B. Stephenson: You read from the commissioner's report in which it stated that Mr. Gagliardi suggested that he was fit to go home and that he didn't need any assistance. That was included in the commissioner's report. He said that he would go back to work and he declined any kind of assistance as far as the board was concerned.

Mr. Grande: What happens if a man is told that he is fit to go to work; what is he going to do? He is going to say, "Look, I have trust in you for this time. You say that I am fit to go to work, I will go back to work." He worked and yet he could not perform that task.

The medical evidence is another point that I am going to be making. I am sorry for taking so much time but I think it's important. I really do think it's important. I really think it's important that I get my particular frustrations and unbottle them somewhere so that somebody knows and I would feel better. It is, in a way, therapeutic for me.

Dr. Jacobs: Mr. Grande, will you accept an interjection on one aspect of it? In dealing with that case, when you say he was discharged from the rehabilitation centre, was he discharged on the advice of the consultant, Dr. McNab, before, or did you intimate that he had been seen by Dr. McNab before? It is a little obscure. If you could clarify that.

Mr. Grande: Sir, I read the letter into the record, and as I was saying, you know, my apologies that perhaps there are times I have perhaps taken the wrong information when I started reading the letter. My only explanation for that is that I have so many of these Workmen's Compensation Board papers that it requires a miracle to keep them in one case. I would like to continue. Perhaps we could leave that and perhaps you can read the record and find out what other information and what other evidence you require.

I would like to go on to something that my leader was speaking about yesterday, which I really think is at the root of the problem, and that is the attitude that the board has. Let me say it again, because the member for Dovercourt continues to tell you this but for some reason or other you don't seem to want or you don't seem to understand what he's trying to put across to you. What you do, yesterday, over and over again, Mr. Starr, you attempt to discredit whatever he is saying, because he comes to particular conclusions with his evidence that you do not like. May I say to you on behalf of myself right now that if he comes to and I come to a conclusion you don't like, perhaps that is the process in terms of changing whatever process goes on at the Workmen's Compensation Board. I am convinced, and am coming very fast to the conclusion, that it is useless to tinker with the system; you have to start afresh with a new system altogether. As for an altogether new system, I felt that the Liberal member was beginning to have some glimpses at it the other night but it was just a smoke-screen in close observation. I would sort of—

[12:00]

Mr. Reid: What are you talking about?

Mr. Grande: Mr. Haggerty's resolution in terms of—well, you have a copy of it I am sure. The attitude of the board. It's not within the board itself, but I happen to believe that it radiates outside of the board to the medical profession; it completely radiates out to the medical profession.

You were saying earlier that you have senior people whose judgement you consider very highly. What happens is that if a doctor—and let us take the case of a doctor who is just starting his practice, or who has been two or three years in his practice—if he reads a medical report by supposedly the best man in the profession in that particular field, saying there is nothing wrong with this man, do you think that this medical doctor is going to—

Mr. Chairman: It is now 12 o'clock.

Hon. B. Stephenson: Can we just finish that remark?

Mr. Chairman: Possibly you could just finish.

Mr. Grande: I'm saying, do you think that medical doctors, who are starting in their profession, and professional as they are—because, look, I go to doctors whenever I need to go to doctors, and I have complete trust in them. I have to. I can't do it on my own. But do you think that a medical doctor, who is starting in his profession, when he knows that there is a senior doctor who has given a particular kind of verdict, is going to have the strength to change that verdict?

Hon. B. Stephenson: To question it? Yes.

Mr. Grande: I'm just throwing it—

Hon. B. Stephenson: You may throw it, but I can tell you that he will most certainly have the strength to question it, if he disagrees with it. That's a part of the training programme.

Mr. Grande: All right, Mr. Chairman. We will continue after the question period.

Mr. Chairman: The committee will sit again after the question period.

The meeting recessed at 12:02 p.m.

APPENDIX C

Standing Resources Development Committee

THURSDAY, DECEMBER 16, 1976

The committee resumed at 3:50 p.m.

THE WORKMEN'S
COMPENSATION BOARD

(continued)

Mr. Chairman: Can we resume, Mr. Grande?

Mr. Grande: Thanks very much, Mr. Chairman. When we left at noon I was talking about certain cases, and then I went into the matter of the doctors. I understand I am going to be provided with a list of the doctors employed by the board and doctors who, as I put it at that particular time, work for or are attached to or are used by the board, in terms of both senior doctors and other doctors who may be used.

I would like, very briefly, because I don't want to take too much time, to go into two other areas. One is the appeal process and I will ask perhaps a very naive question: When an injured workman comes to me, how am I going to go about getting the information with which I could come before the board to fight an appeal?

I have two ways. One is to phone the board and talk to Mr. Bill Cziranka, the person I am attached to or is attached to me. Another way is, on behalf of the injured worker, to write a letter to different doctors the injured workmen has gone to asking for reports. I have tried both ways and both of those two particular ways seem to frustrate me.

Let's take the summary avenue. I call Mr. Cziranka again; and Mr. Bill Cziranka says, "Could you possibly find out specifically what the problem is so we can zero in on that problem?" I say, "Fine, if I could do that, I would be more than willing because I don't want to cause work for you and I don't want to cause work for myself, frankly. If we can isolate the problem, we can solve it."

If I cannot do that and if the case comes up for appeal, I have to say to Bill who, by the way—

Mr. Chairman: I have just received some information that I will pass on to the committee. I am told by the page that Mr. Lewis would like all the NDP members in the House.

Mr. Wildman: Can the committee continue?

Mr. Starr: No, not with all the NDP members leaving.

Mr. Chairman: Maybe you should check anyway to see. Continue, Mr. Grande.

Mr. Grande: Thank you very much. As I was saying, with the summary, Mr. Bill Cziranka, as far as I am concerned, and I have talked to him at least on two occasions, is attempting to do the best possible job he can, but I know for a fact, and he tells me, that he is overloaded. He cannot provide me with a summary on this man unless he has about a month or two months to do that.

Sometimes I say: "I don't need this so very fast but certainly I need it in order that I can prepare myself for an appeal." On two occasions, the only time I received a summary of information was when the appeal date had been fixed. These might be isolated cases or not isolated but what happened was I received one summary on the morning of the appeal itself. The other summary I received on a Friday for a Monday appeal.

Earlier on, the chairman of the board was saying, if I remember correctly, that he has 83 per cent of these appeal dates postponed. He did not mention that one of the reasons might be that the people who are appealing or working on behalf of the injured worker do not have the information at hand with which they could bring forward their case.

If I cannot get the summary of information within good time, let's say two or three weeks before an appeal, how on earth am I going to represent this particular worker before that appeal? I'm not suggesting to you that Bill Cziranka is not doing his job; Bill Cziranka has a lot of summaries to prepare. That's one avenue and that avenue frustrates me. The other avenue is to write a letter to the doctors, on the authorization of the injured worker, to get the information I require. Look at what I get back from doctors. I wrote a letter in May—no answer; I wrote another letter in April—no answer. Finally one doctor wrote me this really beautiful letter which says, "In answer to your letter, unless you're willing or the injured worker is willing to pay \$150 for this report, I'm not going to give it to you." How on earth can I, who really want to, do the best possible job and get the best possible justice for that

injured worker if I cannot get information through the doctors or if I cannot get the information from the Workmen's Compensation Board? Where am I? Frustrated, obviously.

[4:00]

Mr. Starr: I was just going to say that, as far as Bill Cziranka is concerned, he is your contact person and special counsel. It's not his jurisdiction to provide a summary of information for an appeal situation. It is the appeal board's. I can see your frustration in not getting that information sufficiently beforehand in order to prepare yourself to present the case. I think this can be overcome.

On the other matter of seeing the reports on file, I think that too can be overcome. I will ask Mr. Reed, our vice-chairman of appeals, to say what can be done and to speak to you about this right now.

Mr. Grande: I am aware of that, Mr. Starr. One of the things that could happen is that I could come to the Workmen's Compensation Board and I could sit for two or three hours and look over the file. I am aware of that.

Mr. Starr: And you can see the reports of the doctors.

Mr. Grande: But perhaps I do not have the time to do that, to take two or three hours to come to the Workmen's Compensation Board and take a look at the file. What I am asking is that a summary of information, detailed enough, will be provided to me in good time.

Mr. Starr: All right. That is something that Mr. Reed can answer.

Mr. Grande: The answer is not to have another 10 Bill Czirankas there. The point I'm trying to make is that somehow the bureaucracy in that Workmen's Compensation Board is not doing its job. Bill Czirankas could be needed in other departments.

Mr. Starr: I don't agree with that at all.

Mr. Grande: All right.

Mr. Starr: And I don't agree there is bureaucracy there. They are all human beings trying to do a job on behalf of the working men.

Mr. Grande: They are all human beings—

Mr. Starr: A lot of people create bureaucracy. For example, Mr. Grande, and I've seen

this happen before, a person will write me a letter and he'll send copies to 12 other people. That creates bureaucracy.

Mr. Lupusella: Pardon me, Mr. Chairman.

Mr. Chairman: No, Mr. Grande has the floor.

Mr. Grande: I just wanted to put that and to state the situation in which I find I cannot get the information from the Workmen's Compensation Board or I cannot get the information from doctors. By the way, one other point here on the doctors, when the injured worker contacts me, you can call it a third party but as far as I am concerned I'm working on behalf of that injured worker. In essence, that information goes to the injured worker, so therefore I am second party also, if the injured worker wants to engage me to work on his behalf.

Mr. Starr: Would you allow Mr. Reed to explain to you what the route should be and where you can get the information, because I think it is only fair that you should have it at the time so that you can prepare yourself?

Mr. G. W. Reed: On the question of summaries, first I should make it clear that they are prepared by members of the appeal staff, not by Mr. Cziranka. You have another option which you haven't mentioned, with which you may not be familiar, you could come in and see the particular person that you are associated with, ask him to go over the file with you and he will give you the sum and substance of the reports orally.

Mr. Grande: I did mention that.

Mr. Bain: He mentioned that already; he doesn't have time to do that.

Mr. G. W. Reed: All right. Then the only other alternative is the summary of information. May I say that they are prepared in the appeals process, and I concede that we have had a problem this year because of the vastly increased number of appeals. As I explained yesterday, we have produced almost nearly twice as many summaries this year as we did last year, with substantially the same staff. That is one of the reasons why there have been delays.

In order to try to get over this problem, in the last while we have employed part-time help, former employees of the board, who have been brought in to help in the preparation of the summaries, which is a very time-consuming task, particularly if you have a large file. Secondly, we are in the process of hiring another full-time person in the classifi-

cation of appeals administrator B, who will be devoting his or her full time to the preparation of summaries. In other words, what we are trying to do is to improve the expediting of the preparation of the summaries, and we are in the process of doing that now.

The volume has been the problem this year. As I say, the number of appeals has increased substantially and we have not really had the staff in order to cope with that extreme volume this year. But we are taking these steps in an endeavour to expedite the preparation of these summaries.

Mr. Starr: Exactly what would Mr. Grande have to do, Mr. Reed, in order to advise us that he wants a summary of information prior to a case?

Mr. G. W. Reed: He has to make a request for it—and a phone call is sufficient—to the registrar of appeals.

Mr. Grande: Well, sir, I have a contact—

Mr. G. W. Reed: But you can make it—

Mr. Grande: Sure, I understand. But what happens—

Mr. G. W. Reed: The contact is not in the appeals process. You understand that?

Mr. Grande: Sure. Since I have that contact, I try as best as I can to deal through this particular person as opposed to be calling or writing letters to all the different departments of the board. I would think that is the reason why that contact is there; for no other purpose. The point I'm trying to make is that that particular person, and that particular position, would not be required if somehow the system functioned smoothly.

To go on in terms of the physical rehabilitation—now I am beginning to make the distinction between the physical and vocational rehabilitation at Downsview—yesterday Dr. McCracken was saying to us that the people who go through Downsview rehabilitation centre seem to be satisfied. As a matter of fact, he quoted a figure of 97 per cent who said they were satisfied. I asked Dr. McCracken yesterday if I could see a copy of that questionnaire to find out whether the name of the person is requested on the questionnaire. I haven't seen it, but I suppose I will in due course.

It doesn't require a lot of intelligence for a person to feel that if he is going to be writing a name on a questionnaire, and criticizing the kind of treatment he gets at the centre, that the people who work at the centre, being human as everyone is, are going

to feel a certain amount of tension there between this individual and the people who work there. It's natural. Therefore, when a person is requested to put his name on this questionnaire, this person is going to be saying, "Look, if I have something positive to say, I'll say it. If not, I will just fill it out so as to appear that I'm satisfied."

My understanding, or at least the understanding I get from the injured workers, is that many of them are not satisfied with the kind of physiotherapy and the kind of treatment that goes on at Downsview. I just want to make that point, and to put it together with that questionnaire, so that perhaps there will be some sense that whatever results you get on the questionnaire are really not the results that are in the real world.

The next point is about disability. I would like to find out how many people who have been assessed pensions between 40 per cent and 70 per cent really do find a job, this famous "light work" that you talk about all the time? How many of those people are employed, those with 40 per cent to 70 per cent disability? And can you suggest to me, or to anyone else for that matter, one job that a person who is 70 per cent disabled can do? Please do it, because that would make your work a lot easier and it would make my work a lot easier.

A person who cannot sit for longer than five minutes, who stands up for another two minutes, has to lie down for another 10, is 70 per cent disabled; tell me, what kind of job could this person hold?

Mr. Starr: Just out of the blue, I can't give you these figures. If we had anticipated this sort of question, we probably could have prepared ourselves, but we can look into the situation.

Right away it comes to my mind, and I'm subject to correction, Dr. McCracken, that it is not true; that at the Premier Picture Frame, I believe, there's a chap employed full-time who is 66⅔ per cent disabled. Is that right?

Dr. McCracken: Sixty per cent at least.

Mr. Starr: Sixty per cent. I thought it was 66. That's pretty close to 70. He's working.

Dr. McCracken: The other factor, too, if I might just interject here, is that we do have cases of people who have 100 per cent permanent disability who are gainfully employed five days a week. For example, people who have a total loss of vision. They go to

work every day using a seeing-eye dog, and they earn very respectable incomes.

We have people who have spinal cord injuries and have total paralysis of both legs, who have to exist in a wheelchair, and they have hand controls on their automobiles and they have ramps at their houses and at their place of business and they go to work every day.

We have major amputations, with both legs off or both arms, and some of these people are gainfully employed. So the per cent disability does not preclude a person from being employed.

Mr. McClellan: So you don't have a problem in this area either?

Mr. Grande: I can understand that if a person in an accident cuts one hand off, he can start using the other hand. He cuts one leg off or both legs—you know, it's the mentality that I don't understand; really, it's the mentality—that person is so disabled all he has is one eye left, you would probably say to that person, "Somebody will carry you there, will sit you on a chair, and you can watch bottles go by to make sure that there is no glass in the Coke bottles." That's a job.

Really, it's incredible. Look, I'm sorry if I'm really coming across venting frustrations, but these are frustrations that have accumulated over one year of experience. I'm sure that next year it'll be two years' experience, and I hope that you have made the changes necessary so that I can come in here in a calm way and instead of being critical I can begin to think in terms of being constructively critical.

Mr. Starr: I hope so, too. I hope that we have that wonderful atmosphere, but I doubt it very much.

Mr. Grande: You're not optimistic?

Mr. Starr: No matter how hard you may try, I doubt whether we can satisfy you, Mr. Grande; I'm sorry.

Mr. Lupusella: It is up to the board.

Mr. Chairman: Mr. Sweeney.

Mr. J. Sweeney: Thank you, Mr. Chairman. If I remember correctly the numbers which the chairman quoted in his opening remarks, it was to the effect that you're now opening close to 400,000 new claims a year. I think it was 398,000 or something.

Mr. Starr: This year it'll be over 400,000 cases.

Mr. J. Sweeney: Okay. I'm just taking an educated guess, Mr. Chairman, and I'm certainly open to corection here, that there would be something in excess of two million workers in the work force in the province of Ontario?

Mr. Starr: A little over three million.

Mr. J. Sweeney: A little over three million, okay. So we're talking, then, of about 16 per cent of the work force who are represented by approximately 400,000 claims. That seems exceptionally high to me, and I'm wondering what is the Workmen's Compensation Board doing to try to prevent these kinds of accidents as opposed to the amount of time that's being spent to cure them once they've been created?

I know there are some programmes, but if they're continuing to climb at this rate, and it seems to be at a higher rate than which the work force is climbing, the whole thing's getting out of sync here someplace.

Mr. Starr: Out of that 400,000 about two-thirds of those are medical aid claims. In other words, there is no time lost. It may be that an industry person has a finger cut and goes to first aid. That's reported and that's one of them.

Mr. J. Sweeney: I'm only talking about new claims here. I don't know how many, 50,000, 60,000, 70,000, that you have ongoing all the time.

Mr. Starr: This is what I'm saying. Of the new claims, approximately two-thirds are medical aid claims with no time lost. About one-third of those 400,000 represent loss of time claims.

Mr. J. Sweeney: Excuse me, the fact remains, though, we still have somewhere between 15 and 20 per cent of the work force being injured. These are new injuries every year. I admit it can be anything from a cut finger to death.

Mr. Starr: The Workmen's Compensation Board is in the field of education. We have nine safety associations which cover pretty well the whole sphere of the labour force that we cover under The Workmen's Compensation Act. Their job is to educate both employers and employees in safety. That is the role we've been playing and I think we've been doing a pretty fair job as far as safety education is concerned.

Mr. J. Sweeney: Do we have any comparable statistics as to how Ontario stands up against other North American or western European jurisdictions in terms of the per-

centage of the work force that is injured annually?

Mr. A. G. MacDonald: We could provide you with frequency rates of various industries which, I believe, show quite a comparable relationship between ourselves and other jurisdictions in Canada.

Mr. J. Sweeney: Really, the thrust of my questions is to ask in a very direct way should there not be a much higher percentage of time and effort of the board, or maybe its another agency of government, directed toward the prevention aspect rather than the curative aspect. That's really the thrust of my questions. Is that a legitimate aim or function of your board?

Mr. Starr: Yes, of course it is. That's of great concern.

Mr. J. Sweeney: And to a much greater extent than what is being done now?

Mr. Starr: We provide around \$10 million to the safety associations for their programmes of safety, that is to prevent accidents.

Mr. J. Sweeney: I would respectfully suggest the \$10 million is a very small percentage of the number of dollars you spend each year. I have no idea what the percentage would be but I'm just guessing that it's very small.

Mr. Starr: May I say that we don't say to the safety associations we want them to stay within a certain figure? They come forward on their own initiative with a budget which in most cases we approve and then provide the funds.

Mr. J. Sweeney: Are you satisfied or are the members of your staff satisfied with the ratio or the proportion of your funds and your energies are being directed toward prevention as compared to cure?

Mr. Starr: No, I think greater efforts should be made and probably could be made by the safety associations. We're prepared to stand behind them in any education they might want to accelerate in any shape, manner or form that would be helpful.

Mr. J. Sweeney: Let's leave that for a minute. Again I'm open to correction, but I believe very recently an actuarial study was done of the Workmen's Compensation Board and the decision that was made was that actuarially the board is bankrupt. Can you give any credit to that one way or the

other, that the present economic function of the board from an actuarial point of view put it in bankruptcy?

Mr. A. G. MacDonald: If you had been here yesterday, you would have heard an explanation of this particular matter which was raised by Mr. Mackenzie.

Mr. J. Sweeney: Oh, it has been raised?

Mr. A. G. MacDonald: You will find in the record a very complete explanation of our present assets and liabilities situation. We are certainly not bankrupt.

Mr. J. Sweeney: I understand that quite a large number of the employers who at the present time totally fund it are most unhappy with the annual increases. Is any other form of funding being contemplated in the very near future?

Mr. Starr: The task force recommended that the cost of living increment, which was recommended on a yearly basis, should be funded from the consolidated revenue fund of the province of Ontario. But this has not been put into effect and we've had to fund everything on our own through assessment on the employers.

Mr. J. Sweeney: Has the board itself taken any strong position on alternative methods of funding?

Mr. Starr: No, not to my knowledge.

Mr. A. G. MacDonald: Mr. Chairman, in the final analysis, the consumers of goods and services or the people who pay taxes in this province would be paying for the cost of any benefit increases, by one process or the other.

Mr. J. Sweeney: The difficulty, as I understand it from some of the employers, is that as these premiums go up and up, they are facing rather extensive competition in terms of the pricing of their goods. They claim that the Ontario premiums are more heart-breaking than those of other jurisdictions. I don't know what they base that on, that's simply a claim.

Mr. Starr: Not necessarily.

Mr. A. G. MacDonald: I think if you look at the interrelationship between the federal and the provincial authorities in terms of taxing and remember that the premiums paid to compensation are taken out before tax, a good case can be made that the cost to the consumer in this province is less by having it done as a matter of assessment

rather than having it come from the consolidated revenue fund. I think you should look at that from the tax point of view.

Mr. J. Sweeney: Yes. I guess it is almost a year now since we met this board and the last time I brought up two points and was advised that you would be looking into them. I wonder if I could repeat them now and find out what, if anything, has been done about them?

I had two very serious concerns about a year ago. The first one was the long delays in handling claims. As a matter of fact, if my memory serves me right, I indicated that the files I had at the time showed that the average length of time for all claims—this is the initial one, not the appeals and all those other things—was in the vicinity of three months for the people I was coming into contact with. One of the reasons, as has been mentioned here a number of times, is the number of desks a file seems to have to go through.

The request made was whether or not it wouldn't be possible for each file to have a facilitator—one person—who would follow it all the way through to see it didn't end up on somebody's desk and stay there for two weeks when perhaps it should be there only one day. I wonder what, if anything—you said you were going to look into that.

Mr. Starr: I think we have a favourable response for you. Mr. Kerr is now ready to give you the answer to that one.

Mr. Kerr: We discussed this yesterday, and I would be very happy to recap it briefly for you, how long it takes to process the initial payments. There have been some improvements in this area.

I reported yesterday that what we call the uncomplicated claim—it could be a serious injury but no extensive inquiry is required to determine whether or not it comes under the terms of the Act—is handled in our primary claims adjudication section, and 94.6 per cent of all these uncomplicated claims are processed for the initial payment within three days from the date the employer's report of accident is received. And 97.6 per cent are processed within four days of the receipt of the employer's report of accident.

We think that under our present system that is probably the irreducible minimum for probably the next 12 to 18 months. That is, we think, a vast improvement over a year to 18 months ago.

Moving to the complicated claims which require either an inquiry by mail or perhaps a field investigation, they are handled in the extended disability compensation section and 54.8 per cent are paid within 10 working days and 94.4 per cent within 20 working days from the date we receive notification of accident.

Since our last meeting here in December, 1975, we have introduced a trial project whereby the claims adjudicator responsible for the initial adjudication, following along the lines you discussed last year, is responsible for that claim in total until the decision is made. We think we have a system going which enables us to have a little tighter control on the initial adjudication and I think that we can continue to make progress in that area for you.

Mr. J. Sweeney: If I remember correctly, one of the responses I got last year was that part of the hold-up was the employer, the doctor or the employee himself submitting the original claim, and that that could take quite a bit of time. When you talk in terms of four days or 10 days, whatever the case may be, after you get it, have you shortened the amount of time between the accident itself and those forms coming in to the point where you can actually deal with them? Or do we still have a fairly lengthy delay there on an average?

Mr. Kerr: Mr. Chairman, we are making improvements there. As you know—and we reported it last year—employers who do not report accidents promptly are assessed a late filing penalty under section 117(3) of the Act, and this has had quite a beneficial effect. A recent figure I have that might be of interest is that 80 per cent of all lost-time employers' reports of accidents are now received within 10 calendar days of the accident. So we have made a fair improvement in that area, and we'll continue our efforts to make sure that accidents are reported to us promptly.

We also have found an improvement in the initial report coming in from the doctors—their first report covering the examination immediately following an accident. We find that there is an improvement in that area.

Mr. J. Sweeney: More than 10 days?

Mr. Kerr: Sometimes we get the doctor's report in before the employer's report of accident, on the basis that we stockpile. Each doctor has a form of blank forms, so that when an injured person goes to him, the doctor, if he is prompt, can complete his initial report of accident and send it to us,

perhaps even before the employer has his in the mail the next day. We find that 43 per cent of our claims are set up on receipt of that original doctor's report. So we find there's been an improvement in response there from the doctors in the initial report. I think we're going in the right direction and we'll continue to strive for improvements.

Mr. J. Sweeney: Looking at those figures cumulatively, they would suggest that the employee should expect to get his first cheque—if I add them up roughly—within 14 days after the accident. Is that becoming your average?

Mr. Kerr: It depends on whether it falls into the category of an uncomplicated case or a complicated case. It's very difficult to make a definitive statement on an individual case because, as we've heard in here, sometimes quite an extensive investigation is needed. It's very difficult to say that every man is going to get his cheque within the time-frame that you mention; what I've been giving you is averages and, as we know, it could be above or below the average.

Mr. J. Sweeney: As another part of the same question, considering the very severe financial straits that some of these people find themselves in—because it has come to my attention on a number of occasions that because they were expecting Workmen's Compensation Board payment, they were not eligible for unemployment insurance and in some cases not even eligible for welfare or money from other sources—I also asked last year whether there was any way that your board could set up some sort of a co-operative temporary funding mechanism, even between the Ministry of Community and Social Services and the various welfare departments. I had a number of cases, which I brought to your attention a year ago, where people had gone for upwards of three months with no income whatsoever, except what they could borrow on their house or borrow from the bank. Once again, you said you would look into that possibility. Has anything been done on that?

Mr. Starr: Yes. We have set up in our office—and I'm almost frightened to death to mention in the intermediate period that any one of us from the Workmen's Compensation Board would even suggest to a person that he should apply for welfare—

Mr. Haggerty: It's happened, though.

Mr. Starr: But, because we felt that this person should not be left stranded, so to speak, not knowing which way to turn, we've

set up a person at a desk who has all the available information with respect to these matters—that is, social welfare and pensions of every other kind—who has a connection with them and can guide that person, help fill out the forms and do everything earthly possible to help expedite some sort of—

Mr. J. Sweeney: Who is that?
[4:30]

Mr. Kerr: I believe it's the community resources adviser in the vocational rehabilitation branch.

Mr. J. Sweeney: Are these located at the head office or in the regional offices?

Mr. Kerr: The chairman is quite right, this office has been set up in Toronto, but I'd like to add that the claims information and counselling services branch, which is one of the branches under my area, this is done through our claims counsellors at head office and through the eight area offices.

Here again, I approach this with a certain amount of caution. I've heard two sides of the coin. I think earlier this week it was suggested we should set up a closer liaison with these organizations so that we can help injured persons receive some kind of benefit from some source pending this delay in adjudication. But I must say that on other occasions I have heard criticisms of us for making such suggestions. So we are kind of in between here, but our claims counsellors are helpful in that regard and try to make suggestions that, if we are in difficulty, here is a course to pursue.

In a very recent development—and I'm not too sure whether this is good or bad, I think it's good for the person concerned—we were approached by the Unemployment Insurance Commission in the Toronto area asking us would we suggest to claimants who have to wait for a period of time, if we know there is going to be a delay in getting the facts to adjudicate the claim, would we please refer them to the unemployment insurance office for consideration of benefits they might be entitled to under that scheme.

Mr. Wildman: You mean sick benefits?

Mr. Kerr: Yes. So we have set up that kind of a referral on a personal basis when the person is being interviewed. We don't send it out in the form of a letter, but when we are talking to a man about his case, or he is being counselled or he is enquiring, we do remind him that this is a source that perhaps he would like to explore. We are going

to review this in a period of six months to see how it is working.

Mr. J. Sweeney: Would it be reasonable to assume that anyone who comes to your attention for the first time would be asked, discreetly of course, whether or not he was in severe financial straits and therefore some of this other information could be given to him? The feedback that I've got is that this isn't a matter that's ever discussed.

Mr. Kerr: No, we do not routinely ask the man that, because he could consider that an invasion of privacy. In cases of need, I don't think the question has to be asked, because the person in all sincerity would let us know that he is in financial difficulty. That is usually how we find out, the individual volunteers that he is in financial difficulty and requires help of some kind.

Mr. J. Sweeney: Okay. I understand from a report that was made earlier that a significant change was made in April, I think it was, 1974, in terms of a person who is partially disabled but who can continue to get full compensation. I have a copy of the September, 1976, Ontario Medical Review, and I just want to read one sentence here: "About two years ago, the Workmen's Compensation Board changed one of its policies to make this decision a little easier—" the decision they are talking about is the doctor indicating whether it is partial or permanent or whatever it is. This is the part that concerns me, though "—and yet we find that few of our members are aware of this change." Two years later. Who slipped up if the Ontario Medical Review is saying few of its members two years later are aware of this rather significant change? I say it is significant because it was brought up here at least a half dozen times in the last two or three days.

Mr. Starr: I wonder if Dr. McCracken can answer that?

Dr. McCracken: The article which you refer to is the direct result of discussions which I entered into with the general secretary of the Ontario Medical Association. Both Dr. Porter and myself are concerned about this for a number of pretty obvious reasons; namely, one of the effects of section 41 should be that we should get away from any conflict of interest that the doctor might feel toward his patient.

Prior to this, not infrequently doctors would take the approach that this fellow is not only a Workmen's Compensation Board case but he's my patient and his wife and

his family are my patients. The doctor felt that he was placed in a very peculiar position in that on the one hand he was being asked to tell the Workmen's Compensation Board what the degree of recovery was of his patient while on the other hand he appreciated, and was told not infrequently by his patient: "Doctor, be careful of what you put down there because my compensation might be cut down." One of the effects of section 41, so far as my thinking was concerned, would be that this would free the doctor from these conflicts so that the doctor would be able to tell us, as he should have been all along incidentally, the correct clinical status of his patient. This is certainly the doctor's responsibility to do so.

The question was, why didn't the doctors know about this? I researched this, because I was not with the Workmen's Compensation Board at the time that this came into effect. It was published in the WCB report which has a very wide mailing list, including many of the doctors who treat WCB patients, so they did receive it. But, like so many things that doctors receive, and I guess anybody else, if it is not apropos at the moment it tends to be forgotten, or in the screening in the front office presumably a number of doctors never did see it because it got filed by his secretary into that great filing cabinet under the desk.

The doctors did not know about this, despite the fact that members of the staff attend every meeting of the Ontario Medical Association, all 11 districts across the province, and they told the doctors in attendance about this.

At any given time, of course, the attendance at these meetings does not encompass 100 per cent of the medical profession in that local area, as you can appreciate. As a matter of fact, the attendance at Ontario Medical Association meetings from long experience usually tends to represent about 20 per cent of the membership in that area. However, this was another effort that was made.

Mr. Lupusella: On a point of order, Mr. Chairman, if I'm correct, it's possible to identify, really, what the doctor of the injured worker, or the specialist visiting the injured worker, is receiving from the Workmen's Compensation Board to communicate with him? Can you identify this?

Mr. Chairman: I think that's a question rather than a point of order. Mr. Sweeney, you have the floor.

Mr. Lupusella: I have different proofs.

Mr. Chairman: Mr. Sweeney has the floor.

Mr. J. Sweeney: May I suggest, having worked indirectly under the direction of another ministry of this government, that when they wanted certain information to get out they found very definite and clear ways of getting it out within days? I don't know what you have done in the meantime, but I would certainly hope that what I just read there is no longer in effect at this point in time and that there is no doctor in this province who doesn't have that understanding.

Dr. McCracken: I'm afraid I can't guarantee that. As a matter of fact, it is impossible to guarantee that there is no doctor left in the province who doesn't know about it. I think it's unrealistic to make that assumption. All I can say is that at quite a number of medical societies that I have had the opportunity to speak to, this topic has always been brought forward and has been discussed. It was as a result of my discussion with the Ontario Medical Association that this article appeared in the OM Review. I requested the general secretary to write something about this. He thought it was an excellent idea and that this is how it came about. This is not the end of it because I intend to bring this matter to the attention of the medical profession through that same publication, not once but a number of times in the next several years.

Mr. J. Sweeney: The only reason I'm continuing to speak to this is that it's been my understanding that medical reports of one type or another are a major cause of the hold-ups, and the hold-ups are one of the biggest complaints of the constituents who come to me. Can I go on to another point? I recall having heard, on Tuesday of this week, that the board will be allowing more of the appeal procedures to be handled at the regional office level. Did I understand that correctly? Or that was the direction in which you were going? Or did I misunderstand that?

Mr. Starr: No. I think possibly it was taken out of the statement that in the new year we are hopeful a panel of the board may hold hearings outside Toronto.

Mr. J. Sweeney: Probably at the regional office levels or not necessarily?

Mr. Starr: It hasn't been decided yet, but I don't think it will be in connection with the regional offices.

Mr. J. Sweeney: May I come to another point with respect to the regional offices? It has been the experience of the secretary in my constituency office that the level of communication between the regional offices and the head office is not nearly as good as it should be. We have had information in our constituency office and when we contact the regional office to clarify a certain point in that information they have no knowledge of it yet they were supposed to be looking after that particular claim.

I understand you have some kind of a terminal connection between the regional office and the head office.

Mr. Starr: We have viewers now.

Mr. J. Sweeney: How is it possible that they wouldn't know these kinds of things?

Mr. Starr: They probably haven't got the information, but they certainly can get it now. There is no reason they shouldn't be able to get it and come back to you. Mr. Kerr dealt with it yesterday. There is no reason they shouldn't be able to get it for you.

Mr. J. Sweeney: Let me clarify that. Would you say that at any one point in time it is possible for the regional office to have total access to the current file of a claimant?

Mr. Kerr: I don't wish to interrupt, but regional offices come under my purview; I wonder if I might respond to your question, Mr. Sweeney?

First of all, in the regional office they do not maintain a complete case file of every accident. I believe you deal with the Kitchener office, is that right?

Mr. J. Sweeney: That's right.

Mr. Kerr: The complete case files are handled at head office and are at head office. As you know the adjudication decisions are made at head office for the allowance of claims and the authorization of payments.

We were very pleased this year, as a means of improving communications, to have visual display screens hooked up to the computer at main office, installed in all of the area offices now. The installations were completed in October this year and the one in your Kitchener office was installed on May 25, 1976.

These units are hooked up at head office so that certain types of inquiries can be answered instantaneously by the claims staff in the area office without having to contact head office. The types of inquiries which can be satisfied by the information on the com-

puter at this point in time have to do mainly with the payment of compensation; the last several payments; the amounts involved; the period of time covered by the payments; and the address to which the cheques were sent.

We find, considering all of our area offices, about 30 per cent of the claims inquiries are answered immediately by the local staff punching the key on the screen in the area office and coming up with that kind of information. This has eliminated a lot of time lost in having to contact head office staff to give that kind of information.

The kind of information which still requires contact with head office is why the claim has not yet been allowed or why the payment is not up to date. We expect in the future to be able to include that kind of information on the computer so that eventually the area offices will have as much information as we have at head office.

That is our view and objective but it will take time to get there. That won't be done this year but that is what we are working to in the future. We are hopeful that we will be able to satisfy more and more inquiries on a local basis without having the delays which sometimes are entailed with the natural time required to contact head office.

Mr. J. Sweeney: That's probably two or three years away?

[4:45]

Mr. Kerr: I would suggest two years—two and a half to three years. I might add, too, that we have put in some additional telephone lines at head office—you will recall last year that was a source of concern at the committee level. They are being installed and this will enhance our ability to take care of more telephone calls with fewer busy signals. We feel that will be a distinct improvement in service.

Mr. J. Sweeney: The reason I am pursuing this is because we find that certain things we do in getting information can slow the process down and we want to be very careful of it.

One of the other points that was brought up by my constituency office secretary—and I would like either confirmation or otherwise—is that when we make an application into the head office and a file is—I believe her expression was—pulled out of the computer line, it frequently takes upwards of one or two weeks to get it back in again and that we may be doing the claimant a disservice by even trying to get the information because it slows the whole process down. Now, that was the impression that she got back.

Mr. Bain: That was the same thing we were told too.

Mr. J. Sweeney: Is there any way you can either confirm that or—I'm not going to use the word deny, but tell me something else?

Mr. McClellan: But they will.

Mr. Bain: Alleviate the problem is what we want.

Mr. J. Sweeney: It puts us in a very awkward position. I make the same observation about the regional office. We really wonder whether we should be completely bypassing the regional office and going directly to Toronto for that kind of reason. This is another point along the same line of discussion.

Mr. Kerr: If I may respond at least in part to that question, Mr. Chairman, it is a fact that when inquiries are made by members of Parliament and a request for the file is made there are occasions when the claim file is not in the cabinet, in that it is active. It is being considered by the claims adjudicator to process a payment; it could be in the payment processing area with the payment information being prepared for entry into the computer; it could be under consideration by one of our medical advisers. There are a number of areas where the claim file is required for active and good reasons.

I do think that our staff, being quite honest, have made comments when certain inquiries have come in that unfortunately because of the high level of inquiry and the urgency to pull this file out to find out what is going on, that they have been taken out of the regular processing stream.

We have recently gone to a system whereby we don't want people to interfere with a claim file that is going through for payment, so we have arranged with staff and with Mr. V. G. Sweeney's administrative resources division that when that kind of request is made we get the information from the payment processing area without taking anything out of its regular processing procedure and try and give the information without disrupting the flow of the file, resulting in some unfortunate event happening which delays the process because of an inquiry.

Mr. Bain: It delays the issuing of the cheque?

Mr. Kerr: Yes, it does delay the issuing of the cheque. So we are trying to satisfy the inquiry without creating a delay in the issuing of the cheque. I must say that probably our staff, being honest, have said that on occasion to people who have inquired. I hope

it hasn't been interpreted as, "Please don't inquire." I think it was intended—

Mr. J. Sweeney: No, it just puts us in an awkward situation. I think I can speak for most of my colleagues and say we don't inquire frivolously; it is only when it looks as if something isn't happening. We have checked from other sources and we can't get an answer; that's why we inquire.

Mr. Kerr: I am very pleased you brought that up, because we have taken action to try and avoid that and at the same time provide you with the information requested. I am glad you brought that up.

Mr. J. Sweeney: Okay. Let me speak just very briefly to a point that has been brought up a number of times here. The only reason I do so again, at the risk of repeating, is that it is coming more and more to my attention, just in the last several months. This is this whole business of partial disability and the difficulty of someone getting a job.

I understand that the initial direction is that the former employer should make some effort to find an alternative "light work" or "moderate work"—whatever it is—position for this person. There is some sort of pressure on the employer to take this person back and to find something for them.

The difficulty that I have been running into is that the employers will do this initially—and I have got six cases on file of this right now, just over the last three months—the employer will do this initially but, within about three or four weeks, the employee is put back on to a job which is the same as what he had in the first place or equally as heavy and he's literally forced to quit.

Is there any sort of monitoring of this situation because what happens in all six of the cases is that the word goes back to the Workmen's Compensation Board that this employee is not co-operating and he's cut off? It's strictly the word of the employer that he has made a "sincere" effort to find light work for this person and he won't do it. Yet in each of the cases where I checked back, although it is true they were given light work initially and maybe even the second job was light work, within a relatively short period of time, four weeks, six weeks or a couple of months, they were put onto something which was just as hard as what they had originally. The employee seems to have no recourse because the employer sends in a report either by mail or by phone saying he's dropping this guy because he's not co-operating.

Mr. Bain: Of course, the board always gives the employee the benefit of the doubt!

Mr. J. Sweeney: I'm concerned that maybe the board simply accepts in toto the word of the employer without anyone seriously checking it or monitoring it. I just don't know, that is why I'm asking the question.

Dr. McCracken: Where the rehabilitation counsellor is involved, and he is in on an appreciable number of these cases, in placing the person back into his work place, whether it be his original job or some other type of work in the same company or even in a different company, part of the normal pattern which is followed by the rehabilitation counsellors is that after the placement there is a follow-up mechanism to ensure the permanency of employment and self-sufficiency. What this means is that the rehabilitation counsellor tells the person: "If you run into any problems relating to your job, so that you can't do it or the job is changed or something happens, you know what my phone number is and please phone me." The rehabilitation counsellor is not taking the word of the employer. He has input from the employee as well.

The other thing is that he does make contact with the employer and says to the employer: This is the type of work you are going to be doing and, if anything comes up that changes the situation or that he has to stop work, please be in touch and I will be in touch with you.

Finally, of course, there is the situation where people are at work and presumably have not had a full recovery, when they stop work because of their disability or their injury, one of the first things many of these people do is phone their attending physician and make an appointment to see him again. The doctor should then certainly advise us and say: "I have now seen my patient again, the injured employee, and this is the situation." There are multiple sources that are used rather than just the employer.

Mr. J. Sweeney: One of the difficulties I have run into is that there is communication by phone but there doesn't seem to be any face-to-face communication. I challenged one person recently by saying: "Did you actually go and look yourself at the job that this man was expected to do because from the way it was described to me it was obviously too heavy, or did you simply accept the explanation of the employer over the phone?" It was strictly over the phone. There was no attempt for someone to get up from an office and go to the job site and take a look at it and make an evaluation. That is the kind of monitoring that I am wondering about.

Dr. McCracken: Was this the rehabilitation counsellor you are talking about, do you know?

Mr. J. Sweeney: Yes.

Dr. McCracken: First of all, let me say that one of the functions and one of the responsibilities of the rehabilitation counsellor in his area is to be knowledgeable as to the type of employers and the type of industry that is in the area. He should be knowledgeable enough in it to have visited every plant or every industry in the area at some time and be cognizant and aware of the types of jobs. Having said that, if it is a rehab counsellor who is knowledgeable along these lines and the employer says: "We will put him into such-and-such a job," I can well visualize that he would not make a visit to see what that job constitutes.

I mentioned the other day the case-loads of rehabilitation counsellors are still too high and something has to go. One of the things that has to go, if that is down here on priority—and it should be, because top priority should be seeing the man—then there are certain instances where the rehabilitation counsellor will not be able to get to the work place and take a look.

Mr. J. Sweeney: In a highly industrialized area like ours, I would respectfully suggest to you it would be almost impossible for any one or two people to know the various jobs. I just don't think it could be done. That would certainly be a suggestion I would like to make this year, Mr. Chairman, that something along that line be done. Of the six, I have one in particular where, from what I can see, he has just fallen between every set of chairs; he doesn't quite get here and he doesn't quite get there. I would just make the observation to you, I was talking to him just earlier today and finally, in desperation, he is going to go to a lawyer tomorrow because he feels he is getting messed up every way.

Could I stay at that same point and come at another way of looking at it? And I would ask your reaction to this. It strikes me, in the cases I have been dealing with and in this particular matter most recently, that the individual just isn't capable of getting another job all by himself. He's got psychological problems, physical problems, and he has a loss of self-esteem. Every time they come back to me they are not emotionally disturbed, but they are just about ready to break down.

I called both the Workmen's Compensation Board and the Manpower office and said:

"Look, isn't there anyone there who could take a half a day and go out with this guy? If someone could go with him, introduce him to the employer, sit down with him, help him to get through the interview and to get through filling out the application, I think he could probably find a job." The answer I keep getting from both those sources is: "Look, we don't have the staff to do that. We agree with you it should be done, but we don't have the staff."

What occurs to me is happening is that these various government agencies—and it's not just yours—in their payments to these people, because they're not working, are probably spending far more money than what it would cost to hire a few more people to go around with them, again to be a facilitator. In other words, if you are going to have to pay something to a guy for a month or two months to keep him out of work, it would probably be a lot less expensive to pay somebody for half a day to go around with him and get him work. But nobody seems to be able to do it. Is it possible? Is it totally beyond the realm of possibility?

Mr. Starr: Certainly it is possible; it is a question of increasing staff and training them. It is not an instantaneous sort of thing, because they have to be highly trained people. I think you're quite right, and I agree. We are very perturbed about the fact that some of our officers have 100 cases each; they can't look after that kind of caseload. Our objective is to bring the caseload down to about 70 per man, and even lower if possible. This is something we have to take in hand and to provide that service.

Mr. J. Sweeney: For someone for this kind of a job—and, again, maybe I'm being naive—it strikes me that the right kind of attitude and the right kind of character or personality for meeting people are a lot more important than any technical skills. For example, it occurred to me at one time that students in a school of social work could do this on a part-time basis. Would you consider that? I can't see the wisdom of your full-time, highly qualified people doing this kind of work. I am looking at it as a lower-paying alternative. The guy just needs a friend to go around with him; that's all. I don't know whether he has to be very highly specialized or qualified to do it.

Dr. McCracken: I suppose one of the dangers with outside is that you get fragmentation of services. On top of that, we have taken a very careful look at outside contracting and, as you probably know, this

is a very short commodity; it's almost impossible to get outside contracting.

I might just point out that the rehabilitation counsellor function is not to sit at his desk and to be at the area office; his function is to be out on the road. What you are talking about does occur, namely that the counsellor does go along with a person to a prospective employer and does take a look at the job. But, as I mentioned before, there is the fact that the average counsellor is carrying a high caseload. Just as an update, we have driven it down from an average of 109 last year to an average of 91 for the month of October; so we are making inroads into the problem. Even at 91, in the opinion of Dr. Frei, and I had quite a long discussion with him just recently, he is a professor on the staff of the School of Social Work at the University of Toronto, Dr. Frei said, "I find that case load to be absolutely unacceptable in my opinion." And I said, "I agree with you totally, Dr. Frei."

[5:00]

Mr. J. Sweeney: I guess maybe I would just sum up that point by saying that the total amount of money may not be any extra if you just reallocated it in different ways. I am not suggesting you spend that much more. I have only one last question, and this is purely for my own information. I understand in the construction industry and we have both employees and self-employed subcontractors, and there is some dispute from time to time as to whether or not what could be classified as a self-employed subcontractor is in fact an employer or an employee as far as premiums are concerned. Could someone clarify that for me, because I have had a couple of questions and I must candidly admit I didn't know how to answer it? Apparently it was a dispute.

Mr. Greaves: Yes, the subcontractor in the construction industry is an employer providing he employs workmen. He is an employer in his own right, and he must report to the board and he has his own file. If the contractor works alone or in partnership and does not employ workmen he is then considered to be an employee of the principal for whom he is working.

Mr. J. Sweeney: So the distinction then, if I understand you correctly, Mr. Greaves, is that if he in turn employs others he is an employer?

Mr. Greaves: Yes.

Mr. J. Sweeney: If he does not employ others, but works in conjunction with a general contractor, then he is an employee?

Mr. A. G. MacDonald: In essence, what we are talking about is a labour-only contract.

Mr. J. Sweeney: I think that was the basis of the dispute, because this particular subcontractor wondered whether or not he should be so classified.

Mr. A. G. MacDonald: The problem is that these people change their category from day to day.

Mr. Chairman: Mr. Lane.

Mr. Lane: Thank you, Mr. Chairman. I wasn't going to ask for any time at all because of the shortness of the time, but there have been some very negative comments made here in the last few days, and while the last speaker, I wish to say, made some very positive suggestions, most of the suggestions I heard are just negative. I think it must be very demoralizing to members of the Workmen's Compensation Board and staff to sit here for three days and hear nothing but complaints while there are hundreds of thousands of claims that are being settled to the satisfaction of everybody.

I know for a fact that we have many dedicated people working on staff, and by and large these people do a good job and I think we should give credit where credit is due. We know there are problems, and I have been as critical as anybody else has about these problems, but there always will be problems because as soon as we get some resolved, others arise. We were talking about some suggestions made last year that have been done, and now the last speaker is making some suggestions of things we could do for another year. We know there will always be problems, but we just have to continue to try to get rid of these problems because any kind of delay in a compensation claim is a very serious matter. Yesterday, when the hon. Leader of the Opposition was talking about Elliot Lake, very much of what he said was the truth, but he really should have told the entire story. The problems of Elliot Lake are many in this field because the very nature of the industry that is there will give us a very high rate of compensation claims. Mr. Starr and other members of the staff know the large number of claims. Because of the very cosy situation which officials of the United Steel Workers at Elliot Lake and NDP club

at Elliot Lake have, I never get a request from the union to help with their compensation claims.

Mr. Laughren: You had your chance.

Mr. Lane: They always come to me through somebody else after they have been handled by the union and not handled satisfactorily and so forth.

Mr. Warner: They have learned by experience.

Mr. Chairman: Order please.

Mr. Lane: So really, Mr. Chairman, what I want to say is that while we hear so much about their great concern over delays in claims, they really have no great concern about what is delaying a claim providing this has some political marks in it for their party.

Mr. Wildman: Come now.

Mr. Bain: Oh, no.

Mr. Lane: I have it on the official record. I put it on the official record upstairs. This shouldn't be the case but it is a fact. A letter from the NDP club was circulated to every household in Elliot Lake telling them not to use the elected member but to use some NDP elected member to handle their claims. If that isn't delaying a claim, I don't know what is.

Mr. Bain: On a point of order, the Conservative candidate in St. George did exactly the same thing.

Mr. Lane: Same as that letter typed there?

Mr. Bain: Yes. It said if you had any problems, not to go through your Liberal member; go through your Conservative representative in St. George. Ask her about that.

Interjections.

Mr. Lane: You shouldn't be very proud of that kind of a letter and it's really delaying a claim.

Interjections.

Mr. Lane: Could I have a moment, please? I haven't been on before. We hear a lot about the Gus Frobels case and Gus is a great guy. He's done a great deal for his fellow workers, but you people won't believe that I was involved in his claim back in 1971. I have letters from my file to back it up.

It's too bad you couldn't make some constructive criticism to the board. The board has been here for three days and Mr. Sweeney made some very constructive suggestions a

few hours ago but those were the first I have heard all the time I have been sitting here. I think it is a damn shame that we ask the board to come here and listen to the kind of crap you people shoot at them hour after hour, with no basis of truth in it. Thank you, Mr. Chairman.

Mr. Laughren: That is the single most offensive statement I have ever heard a member of the Legislature make.

Mr. Lane: I'm glad you are offended. The cap must fit—if it hurts you, the cap must fit.

Mr. Laughren: Anybody from Elliot Lake who can sit there on the government side and justify what the board has done in Elliot Lake has more nerve than Dick Tracy.

Mr. Warren: It's more than nerve—that's sad.

Mr. Laughren: It's sick; really sick and offensive. Do you know that?

Mr. Lane: I didn't say that at all.

Mr. Warner: What an apologist!

Mr. Wildman. In relation to what the member for Algoma-Manitoulin has just said, I have a few general comments about the board and its operation, and some problems I see with it.

The case I'm going to deal with, I'm not going to deal with in specifics; I realize the time problems we have. It deals with a problem which is very similar to the problems in Elliot Lake and it's interesting that they have come up now. I want to read two letters received by a miner who lives in my riding. The first letter is from the Ministry of Health and it is signed by a Dr. F. Dubsky; I think that's the correct pronunciation. It says:

"I have reviewed your chest x-ray taken on March 16, 1976, and must advise that you have been denied a miner's certificate for employment in the Ontario mining industry. A surface card has been issued which enables you to work in non-dusty surface work."

Now, non-dusty surface work.

"In my opinion your x-ray appearances are such that you would be well-advised to quit mining altogether."

This is in northern Ontario; he lives in a mining community.

"Further, I would recommend that you should file a claim for silicosis with the Ontario Workmen's Compensation Board. This would ensure that you are x-rayed at regular intervals even if you are not in the mining industry. I have sent a copy of this letter to your physician" and so on.

That was March 30. On September 17, 1976, the miner received this letter from the Workmen's Compensation Board:

"Your claim was instituted upon receipt of a submission from your union stating that you had been removed from your job as a cage-tender because of apparent chest condition, although you have not been notified of any condition by the board."

He was notified by the Ministry of Health but he wasn't notified by the board.

"There is also reference that you had not worked in a mine for seven years and as a result of an x-ray taken in March this year, the mine was notified to remove you from the underground area."

I won't read the whole thing but it goes on:

"The reports received from your attending physician indicate that there was evidence of silicosis and you were advised to stop working in the mine. The last chest x-rays taken March 16, 1976, indicate that you did suffer some signs of dust effects."

Remember that with the chest x-ray they are talking about, the Ministry of Health doctor had indicated he should file a claim for silicosis.

"As you no doubt recall, arrangements were made for your examination by the advisory committee on occupational chest disease. This examination took place on March 18, 1976. They revealed that you suffered from changes in two sections of your lungs, which are clearly not the result of any occupational exposure. There was no evidence of any radiological silicosis at the present time. The recommendation was that your claim not be allowed as there is no evidence of silicosis."

These two letters go together. It's really hard to believe. "It is also noted that unfortunately you allowed your miner's certificate to lapse and on reapplication the provincial chest clinic would not reissue your certificate due to x-ray findings."

The interesting thing about this is if this miner had not inadvertently allowed his miner's certificate to lapse, even though the Ministry of Health had found on his x-rays evidence of silicosis such that he should not go back underground, he would not have been able to be prevented from going underground because he would have had a miner's certificate, and he would have gone back underground because this man needs the money. In a way, luckily for him health-wise, but unluckily economically, he let his miner's certificate lapse, so the Ministry of Health

would not let him go back underground, but the Workmen's Compensation Board sure would have let him.

Then it finishes off: "The claims review branch, having carefully considered all evidence on file, especially noting the recommendation and findings of the advisory committee on occupational chest disease, must inform you that entitlement under the terms of the Act has been denied as there is no evidence of silicosis."

The member for Algoma-Manitoulin (Mr. Lane) wonders why people get frustrated and why there has been so much criticism. The minister, who is not present, unfortunately, challenged me to produce two letters in the House when I mentioned this case before. I have produced them; here they are. The Ministry of Health tells this man he should not go back underground because of chest defects in his lungs and that he should file a claim for silicosis. The Workmen's Compensation Board examines the same man and admits he has chest defects, dust effects, but says there is no evidence of silicosis.

Mr. Starr: Mr. Wildman, did the Workmen's Compensation Board examine it or is it the advisory committee in the Ministry of Health which says there isn't? The Workmen's Compensation Board doesn't say that. Based on the Ministry of Health advisory committee, the review committee says there is no evidence. It's not the Workmen's Compensation Board which says it.

Mr. Wildman: I'm not going to get involved in that. What I'm saying is that I'm talking about this man and I'm not talking about agencies. What I'm concerned about is the fact that one agency advises this man because of his health to do certain things. It advises him to file a claim for silicosis with the Workmen's Compensation Board. Whoever is responsible then advises the Workmen's Compensation Board that this man should not receive compensation. If he just hadn't inadvertently let his miner's certificate lapse, he would be underground right now.

Mr. Starr: Mr. Wildman, would you be good enough to give us the claim number of that?

Mr. Wildman: After this session is over, I'd be glad to. I have other miners in my riding, and I'm not going to go into the details, who were careful to keep their miner's certificate renewed. They have been told by the chest clinic that they shouldn't go back underground. I fully recognize the responsibility of the individual miner, but I

point out that it is very difficult in a mining community in northern Ontario for one to find other kinds of work. It's very difficult even for the companies to find light duty work above ground for as many men as may need it, so they are still underground. You ask them: "What about your disease? You're going to get worse." They say, "Well, if I get worse maybe the Workmen's Compensation Board will then provide me with compensation." That's hardly in the interests of the individual or his family and it's very frustrating for me. As I said, I'm not talking about individual cases; I just use that one because I had the two letters there as an example.

[5:15]

I think it's very unfortunate if we have a situation where people are in a pre-silicotic condition, they're told they can't get compensation, they're advised not to go back underground but they do end up back underground because there isn't any light duty available to them, without a loss in pay at least, and in many cases there isn't any light duty available.

I hope that this new department under the Ministry of Labour dealing with occupational health and safety will really be able to change that situation. It's very tragic when you meet a man who has worked in mining all his life and knows nothing else and probably has very little education, who goes back underground when he shouldn't because of his health, but he doesn't have any other income.

I'm concerned about what many members have brought up today concerning rehabilitation. By the way, before I go to rehabilitation, there's the same situation I've run into in a number of cases with regard to hearing loss. Patients are told by their doctors that they shouldn't continue working in the environment that they've been working in because it's affecting their hearing—or they feel that it may be affecting their hearing—and yet the board, after it analyses the amount of hearing loss in one ear as opposed to the other, comes to the conclusion that it's not compensable.

Basically, what happens usually is that the worker then goes back into that work place and is told to have his position reassessed in the future, and he goes regularly for hearing tests and eventually he may be compensable. But what you're really doing is you're telling the fellow—and I don't mean you particularly as the board, I mean the whole process is telling the fellow—go back there, get worse, then come back and see us, maybe we'll be

able to help you some time in the future. And that's very—

Dr. Jacobs: Excuse me, Mr. Wildman, these particular claims, the hearing claims, are really solely based on the expertise of the doctors whom the local doctor may send them to. Say, for example—Sudbury is a classic example—Dr. Pearsall, Dr. Andrews. It's on the basis of that expertise as to whether they've got compensable loss or not, subject maybe to further tests under highly specialized techniques in Toronto, particularly Dr. Alberti's.

But if the man has a condition that is really injurious to himself by continuing in that work, it has been my experience that most of these doctors, these specialists, will tell him that to return to that type of employment without protectors, muffs, plugs and so on—

Mr. Wildman: Oh, they're wearing muffs.

Dr. Jacobs: Excuse me—would be harmful to him. I really don't know where you draw the line, that's really the problem.

Mr. Wildman: I'm not going to get drawn into specifics, but I can point to one individual in my riding who has poorer hearing than co-workers who are receiving small pensions for compensation for hearing loss. He isn't receiving any and he can't hear as well as they can.

Dr. Jacobs: I can appreciate that, because maybe the origin of the condition is completely different.

Mr. Wildman: That may be, but I'm sure that the environment that has caused the hearing loss in the other gentlemen whom he's working with—

Dr. Jacobs: I'm just trying to explain it to you.

Mr. Wildman: —can't be too helpful to his hearing condition.

The other thing I want to get into, just briefly, is rehabilitation. We've heard here today and yesterday there just aren't enough rehabilitation officers and that their caseload is too high. I certainly can testify to that.

I'd like to know how many rehabilitation people you have in Algoma district.

Dr. McCracken: In Sudbury, there are three rehabilitation councillors; Timmins, one; Sault Ste. Marie—

Mr. Wildman: Just a moment, I asked for Algoma district. Sudbury and Timmins are not—

Dr. McCracken: There are two.

Mr. Wildman: Two? One is in Sault Ste. Marie; where is the other? Are they both in the Sault?

Dr. McCracken: No, there's one in Sault Ste. Marie and one in the Timmins area.

Mr. Bain: That's not in Algoma.

Mr. Wildman: Does he serve the northern part of Algoma, the fellow up in Timmins? I understand you have one officer for Algoma and he's in Sault Ste. Marie.

Mr. Starr: Who's that? Melnek?

Mr. Wildman: Mr. Melnek.

Dr. McCracken: There is one in Elliot Lake on a temporary basis too.

Mr. Wildman: Okay. I really sympathize with Mr. Melnek in his job, because he's got a very large area to cover. It takes up a pretty huge chunk of this province really. If you were to superimpose the map of his area on southern Ontario, you'd have quite a geographic area. I admit he has fewer people there, but he's got an awful lot of driving and an awful lot of travel to get to one case, as compared to a rehabilitation officer in southern Ontario. I really don't know whether he can adequately do his job because of the case-load he's got and the distances he's got to deal with. To an extent, it appears to me that quite often, because of the large amount of work this individual has, basically when he comes to try to get involved with vocational rehabilitation of a workman, it doesn't become much more than just a Manpower position where he advises the person to go and look for a light job. He tries to help him if he has the time, but basically the person has to find his job himself.

Often it seems to me that the individual who needs vocational rehabilitation, if he's willing to take retraining, has to find a job that he could be retrained for before he can get the retraining. These jobs, especially for men with little education, are few and far between in northern Ontario.

I'd like to know, and you've mentioned this briefly, what liaison you have with vocational rehabilitation in the Ministry of Community and Social Services. It seems to me we've run into a couple of problems where an individual wants retraining, wants to be upgraded so he can do perhaps a lighter job that requires more academic qualifications or more technical qualifications or whatever, but that the vocational rehabilitation people

in the Ministry of Community and Social Services can't do anything for him because he's on Workmen's Compensation. There seems to be a conflict there and there doesn't seem to be much co-ordination going on. I'd like to know what the reason is for that.

Mr. Starr: I don't know whether Dr. McCracken is aware of this or not.

Dr. McCracken: Of conflict?

Mr. Starr: This is in the north section of Ontario.

Dr. McCracken: First of all, we take into consideration the geographical commitments in developing the case-load. In other words, for councillors in the Sault area, in the Timmins area, places like this where they have large distances to cover, their case-load is dropped. It will vary from month to month, but as of October Mr. Melnek had a case-load of 50, and this can be compared to one of the case-loads in the Sault, for instance, which was a case-load of 114 in October, which was high for the month, but it gives you the idea that there's the spread built in. It is still too high, but we—

Mr. Wildman: He covers Hornepayne. That's 260 miles north of the Sault.

Dr. McCracken: That's right, it's still too high, but what we do is allocate the rehabilitation counsellors, taking into consideration the geographical distances they must cover. As a matter of fact, it's my understanding that the manager in charge of allocation currently is taking a look at the area to see whether or not the time has come when we have to add another counsellor in there to spread the load out.

You come down to Metropolitan Toronto, for instance, and their case-loads are running 126, 134, 124, 138, so that, yes, they do carry a much higher case-load but they are compacted geographically, so we build this in.

As for conflict with the other agency and their rehabilitation services, I know we certainly have looked into this because we wanted to avail ourselves of any help they could give us. They control their case-loads. How they do it, I don't know but they do. They establish what case-loads they are going to have and the figures that we obtained were that they run to case-loads of about 35 to no more than 45 on a concept of nobody gets on until somebody gets off. As you can appreciate, we can't do that. If somebody has to come under the care of a rehabilitation counsellor, we can't say "Wait until we get

rid of one case." We have to take them as they come.

Mr. Wildman: In the case of the vocational rehabilitation officer for the Ministry of Community and Social Services in Sault Ste. Marie, we described the situation of the individual to him and he was all ready to go and look at it. Then we told him this person was on Workmen's Compensation and was attempting to get vocational rehabilitation from the Workmen's Compensation Board. That seemed to throw a roadblock into this gentleman getting involved with this case and helping us. I don't really think that should be the situation.

Dr. McCracken: Certainly if he could take on a case, I can't see any reason why this can't be brought to the attention of Mr. Melnek.

Mr. Wildman: Also I'd like to know what co-ordination you have with northern affairs offices in northern Ontario. Another individual in my riding who wanted to get retraining wondered whom he should contact in his town to get him in touch with the vocational rehabilitation people for the Workmen's Compensation Board. He went to the northern affairs officer and asked him if there were any forms he should fill out or anything that should be mailed in and so on. The northern affairs officer said he had nothing of that kind at all and put the gentleman in touch with me.

Mr. Bain: That was all right. He knew who to go to, anyway, for the right information.

Mr. Wildman: I'm wondering, do you have materials in the northern affairs offices to help the northern affairs officers get these people in touch with the vocational rehabilitation people? Mr. Melnek is centred in Sault Ste. Marie, and he's got a wide area to cover. Surely you could make use of the northern affairs offices in the other towns and ridings.

Dr. McCracken: They are in contact and they do have dialogue. One of the stipulations is the counsellor must be ready to assist the injured worker in dealing with other agencies, particularly Canada Manpower, along with Canada Pension, unemployment insurance, Army Benevolent Fund, credit counselling and many other agencies. They are in contact and, as a matter of fact, at one stage of the game I believe we were occupying part of their premises.

Mr. Wildman: Do you have the whatever forms and everything that is necessary? Are

they in the northern affairs offices for the northern affairs officer?

Dr. McCracken: No forms are required, just a request.

Mr. Wildman: Then it must have been a slip-up on the part of the northern affairs officer. One other thing, for the benefit of the member for Algoma-Manitoulin, which leads to some frustration with the workings of the board is what appears from the outside to be inefficiency on the part of the board.

I've run into cases where they have lost files. I've got them all stacked here but I'm not going to bore the committee with the details of each one. If an official of the board wants to question me on them, I'd be glad to talk to him afterwards. I've got them all here. They can't find the file, they can't locate the file. I think every member who's ever contacted the board has run into that. I've run into many cases where constituents have phoned me, not just once but a number of times, where they didn't get their cheques on time. I've a couple of individuals in my riding who live a long way from Sault Ste. Marie, who are taking physiotherapy. They have to travel from their home to the Sault on a regular basis and get travelling expenses from the Workmen's Compensation Board.

I have one individual who had to contact me four times in the space of about eight months because he didn't get his travelling expenses paid. When we contacted the board he got them. The board said, "there's an error" and now he's getting them. He's getting them all now. Those are the kinds of things which lead to frustration and to people feeling that the board really isn't operating the way it should.

[5:30]

There's one other thing I really would like to get an explanation for. It was stated yesterday, I understand, that when a worker's position is being reassessed—that is, to determine whether or not he's disabled, what his disability is or whether it's a permanent disability—his benefits are not cut. I've had cases in which they were. I've had cases in which the person was cut to 50 per cent while he was being reassessed.

I had a case phoned to me yesterday, coincidentally, by an individual who is now at the Workmen's Compensation hospital. He has had his benefits cut off until they make a decision at the Workmen's Compensation. At least, he had been cut off. He complained and finally got one cheque and they now

tell him he's paid up to December 13. He questions that because there's a two- or three-week period in between when he didn't receive anything. He got one week's cheque.

If you're not supposed to cut someone off when he's being reassessed, why is it this happens?

Mr. Starr: I have no explanation because each one has its own peculiar situation—each case, each claim; that's my experience at least.

People phone me from all over Ontario about their cases saying, "My cheque is late; can you find out what's wrong with it?" I try and most of the time it can be corrected but each case, I find, whether it's a letter a personal visitation or what it is, is different. You can't give one explanation to cover them all.

Mr. Wildman: That's where, to an extent I think, our disagreement lies. The board, I think, quite conscientiously and seriously says, every time a member brings up a problem, "Give us the claim number. We'll look into it and we'll resolve that situation." I think that is commendable but what you're doing is looking at each case as an individual aberration and I don't think it is. There are too many similarities between too many cases for them all to be individual aberrations.

You have too many cases in which cheques are delayed. You have too many cases in which people are cut when they're not supposed to be cut. I think there's something generally wrong. That's the difference between the position of our party, I suppose, and the position of the officials from the board here and the position of the ministry. If it were just one individual case or even a few of them which were unique then I'd agree with you but I don't.

Mr. Starr: I would like to be in the position, along with the rest of the board members and the staff of the Workmen's Compensation Board, of having 427,000 cases per year go through without a flaw, without any error. Everything would be punctual and all the cheques would go out on time and every letter would be acknowledged and answered and every problem brought to us would be done quickly.

That would be a very ideal situation but, believe me, I find it's impossible to have it. The Workmen's Compensation Board will continuously try to minimize every problem it has now but we'll always have problems.

We'll always be in that bit of trouble, so to speak, with people who are dissatisfied.

We reject seven per cent. They're not satisfied, and a person who is assessed for 20 per cent total permanent disability is not satisfied. He feels he should be 50 or 40; and if he's 50 he feels he should be 70 per cent. That's human nature; this is what we're up against.

Mr. Wildman: I think that really what we are dealing with is a little more than that. I think we're dealing with the whole question of the benefit of the doubt which relates to the first thing I mentioned—those two letters, the man with or without silicosis depending on who you are talking to. Certainly he's got a problem.

I'll give you another example of an individual who hurt himself on the job, lifting something. He didn't think it was serious so he didn't report the accident immediately. He should have, I suppose, but he didn't. He continued working. He came to work the next day, worked for a short time and found that it was bothering him so much he had to go home, so then he reported it. I ran into a situation where I had to phone the board and write letters to the board and so on because the board said he didn't report his accident immediately. They said, "He must have hurt himself at home last night, before he went back to work."

Mr. Starr: Someone at the board said that?

Mr. Wildman: No, that was suspected. They never said it, but it is obvious from the attitude they took that as he wasn't hurt one day and he was hurt the next day, it had to have happened in between.

Mr. Starr: I think you are over-assuming.

Mr. Wildman: The interesting thing is that after a lot of investigation we presented the names of co-workers who were willing to testify that he had hurt himself, who were willing to say that he had complained about the pain overnight and the next day, when we finally got that information to the board, they said, "Yes, that's right, he is entitled," and he got his benefit.

This man is now back to work. It was just a temporary thing. I think the board probably spent more money trying to find out whether the guy really hurt himself on the job than they would have if they had just given him the benefits—

Mr. Bain: Benefit of the doubt.

Mr. Wildman: —that he was entitled to eventually. I don't know that but I—

Mr. Starr: Mr. Wildman, I wonder if Mr. Kerr could say something on this?

Mr. Kerr: The situation that you have described, Mr. Wildman, is one that does call for investigation. In that case it turned out that we were able to pay him compensation, and indeed it took time to investigate it. But when an injured workman doesn't report his accident right away and there is a long delay in reporting, the employer's report of accident comes in saying that it wasn't reported to them within a reasonable period of time and perhaps the injured person's report indicates there are no witnesses. We have to inquire to try and get information to enable us to allow that claim within the terms of the Act.

A case like that is one that does require inquiry and sometimes a local field investigation. This is one reason why in all our seminars we encourage union representatives and employers to get involved in encouraging their employees to get first aid promptly and to report accidents promptly, because we admit that when there is a delay in reporting accidents it does create a delay because inquiries are necessary.

It is not that we doubt the man. If we doubted the man we would probably have rejected the claim in the first instance, without going to all the trouble of making inquiries. But we are obliged to make inquiries to get information to try and bring him within the terms of the Act.

Mr. Wildman: I should point out one thing—initially the claim was rejected. It was only after we got involved that it was changed.

Mr. di Santo: That doesn't happen all the time, you know that.

Mr. Wildman: There's another thing that makes me wonder about the efficiency of the board. I was just told yesterday as a matter of fact by a constituent of mine who had written a letter to the board on October 7, he sent us a copy which we received on October 12 with his claim number in it and describing his problem and wanting some action, this individual has yet to receive any kind of answer from the board. He hasn't even received an acknowledgement.

Mrs. Campbell: Better check to see if they found his file.

Mr. Wildman: He told me yesterday he was still waiting for an answer from his October 7 letter. That leads me to the final two things I want to say before I finish here.

One is, I've got a particular problem in my riding, and I am sure this is a problem throughout the province, in that in my riding there is a unilingual French-Canadian community, Dubreuilville, which is a company town; Dubreuil Brothers Lumber Company. The board insists on sending correspondence to people who live in Dubreuilville in English.

Mr. Bain: Sounds typical.

Mr. Wildman: I think only three or four people who live in Dubreuilville speak good English. A lot of people are semi-bilingual. The company officials certainly are. But the language that is used every day by everyone in Dubreuilville, except when they are talking to somebody from outside of town, is French. I have on many occasions written to the board or phoned the board and said, "Please send whatever correspondence you send to this individual in French." And they still get them in English.

Mr. Bain: They've lost the French letter.

Mr. Haggerty: It works the same way if you are dealing with any government agencies in Quebec. If I write in English, I get a reply back in French.

Mr. Bain: Even under the Liberal government in Quebec.

Mr. Wildman: I am not involved in Quebec. I am not a federal politician. It seems to me that when you are writing to a person about sometimes complicated decisions—if I could have the chairman's attention—describing reasons for a decision on a case to somebody who is unilingual, or speaks very poor English, you should send it in his mother tongue, especially when his mother tongue is the second official language of this country—or the first, depending on which way you look at it.

I find it rather amazing. I can think of one particular case where a gentleman received something in English and his friend, who could speak English, phoned me up and said: "Look, I had to read this to this person and try to translate it." And this person wasn't a professional translator; he was a lumberjack and he may not have understood all the terms in the letter. He said: "Please make sure, if they send him another letter, that they send it in French." I phoned the board, and they said, "Yes, we will send it in French." Two weeks later I got another call from this person, saying he had just received his letter again but it was in English.

Sometimes the men or women who receive these letters are asked specifically to do things, and they are required to do them at certain times; if they don't understand it and lose their benefits as a result, it is hardly their fault.

Mr. Starr: I agree.

Mr. Wildman: I don't understand why you don't make a policy of ensuring—at least for my sake—that every time you have to send a letter to Dubreuilville, please find out if the guy can speak English before you send him a letter. Just remember the name, Dubreuilville; it is not on any maps, because it is a company town, but it is a unilingual French-Canadian community in my riding. Please make sure that you send it in the language that the individual can understand.

Mr. Starr: May I just say that it is a basic principle in our organization at the Workmen's Compensation Board that if we receive a letter in French, we reply in French. There is no question about it. But I can foresee the difficulties with a new claim, where there has been no correspondence with that individual whatsoever. If we are corresponding with an individual named Richard, say, how do you know whether he speaks French or English? Do you phone this person and ask him whether he is French or English?

Mr. Bain: Put Dubreuilville in your computers.

Mr. Wildman: I have already told you that nearly everybody in Dubreuilville speaks French.

Mr. Starr: You've got a real problem there. But believe we want to—and, as a matter of fact, our staff speaks fluently in 35 different languages; we are pretty multilingual.

Mr. Grande: Do you really?

Mr. Reid: None of which is Italian, Tony.

Mr. Wildman: There are two small things I want to say here. First, I understand that the United Steelworkers of America, local 2251 in Sault Ste. Marie, has a permanent compensation safety and health committee chairman who handles claims, not only from people in local 2251 but from people in the area between Sault Ste. Marie and Elliot Lake and Wawa who may work at any number of different industries. It has become known that if you need help, go to local 2251. This office, as a result, has to spend a lot of time writing letters and phoning the Workmen's

Compensation Board. They found that in order to get any decent answers—and they do get their answers more quickly—they phone Toronto directly rather than phoning the Sudbury regional office, because Sudbury really doesn't know what is going on. As a result, they have a big bill. They wrote the Minister of Housing (Mr. Rhodes) and the Minister of Labour requesting that perhaps a regional office might be set up in Sault Ste. Marie. But they made it a point that they wanted one that could give them answers, not like the one in Sudbury where they always had to check with Toronto which then would give them an answer.

[5:45]

They received no reply, I understand, from the Minister of Housing nor from the Minister of Labour. So they contacted Mr. Lupusella and myself and pointed out the number of calls they made and so on and wondered if we would bring it up. I am bringing it up here to suggest to you that besides increasing the number of your vocational rehab people in the Algoma district and bringing in some kind of co-ordination with Community and Social Services in that area, you might be looking at the whole idea of a regional office in the Sault. But again, we don't want just an information office, we want one that can actually do something.

I said I wasn't going to get too specific, but there is one thing I want to bring up before I finish. It is the only time I am going to get specific on one case.

This morning I received a copy of a decision by the appeals board where I represented a constituent recently in an appeal. This is claim 10145178 in which we had presented some evidence. We had used the evidence from the summary of information of the Workmen's Compensation Board radiologist's report in which he analysed x-rays taken on March 31, 1975. These x-rays showed severe distending of the C6 and C7 motor units. It is my understanding that this would probably have occurred over a long term and would have to be the result of an injury. That is the information I received from medical advice anyway.

In the decision they denied the appeal. The appeal board notes a statement by Mr. Parisee to the claims information specialist in September, 1975, wherein he indicated that he had made a full recovery from each of his previous compensable disabilities.

The appeal board also notes that x-rays taken by the orthopaedic consultant in February, 1967, showed degenerative disc dis-

ease in the cervical area. In this case, in other words, they are looking at the x-rays taken at that time and also the statements made by the worker over the x-rays taken March, 1975. They state here: "With respect to the symptoms manifest in March, 1975, the appeal board concludes that in the absence of medical evidence supporting the relationship with previous industrial accidents and having respect to a non-compensable accident of March, 1975, the appeal board accordingly concludes that a relationship has not been established between the lost time and the treatment commencing" on such and such a date.

I would really like to know why the symptoms manifest, as they say on March, 1975, were ignored in this decision?

Mr. Starr: Have you any comments to make, Mr. Reed?

Mr. G. W. Reed: Not without looking at the decision.

Mr. Wildman: I have it right here. I'd appreciate it if I could get some information on that specific case. I want to point out that my main purpose in appearing here and making my comments before the committee was not to bring up specific cases but to point out why there is frustration with the Workmen's Compensation Board in its administration of benefits, in its rehabilitation programme, in its analysing and assessing of disabilities and in general its whole approach to the injured worker in Ontario.

I find it very frustrating on my part. If it is frustrating for me, it is far more frustrating for the injured worker who feels that he hasn't got justice. If the member for Algoma-Manitoulin doesn't understand why people have levelled such criticism against the board over the last two or three days, I hope some of the points I have brought out indicate to him when he reads the transcript why there is such frustration with the board. As to the specific answers, if anyone here wants to get information from me after I'm finished I'd appreciate it.

Mr. Reid: I'll be brief. I don't know what time, if ever, we are going to finish here. I want to say that I have been frustrated with the board. I have written to the chairman and you have been kind enough to reply.

One of my frustrations has been with the file I have here on one particular gentleman—you can see how thick it is—and perhaps the facilitator referred to earlier will avoid this sort of thing. This file goes back to July 4, 1974, and the last letter was on November

30, 1976. It is on the same case and it seems to me that perhaps this will be cleared up.

I have two specific concerns. One is I would like to know how the medical staff, particularly at Downsview but perhaps in other areas, arrive at getting or suggesting a psychiatric assessment of a workman? On what basis is that done?

Dr. McCracken: On what basis is there a consultation with a psychiatrist?

Mr. Reid: Dr. McCracken, what has happened, as reported to me by some people in my area, is that they have come to Downsview particularly and out of the blue are sent for a psychiatric assessment. They are given about 30 minutes with a psychiatrist and they don't understand the reason for it or what it is. They are upset when they get there and then they are given the impression, perhaps wrongly, that really they are not physically incapacitated but they may be a little off their rocker. What I would like to know is how do you arrive at giving these people a psychiatric assessment and why?

Dr. McCracken: Just one other question. Do you know if these assessments are carried out in the hospital or are they sent to outside consultants? Do you know that detail?

Mr. Reid: As far as I am aware they are done in the hospital.

Dr. McCracken: Okay. At the hospital we have a number of part-time psychiatric consultants; we do not have any full-time psychiatric people on staff. We feel it is better to employ outside psychiatric consultants who have their own private practices and who will be prepared to devote a half day or two or three half-days per week to the hospital. We feel this is the best way to go with the psychiatric staff because this allows us to feel they will approach the problem as independent physicians which, indeed, they are.

What will happen is that a person being admitted to the hospital comes under the treatment team concept I have evolved over the past two years. It existed prior to then but we have refined it because we feel that everybody involved in the treatment of the case, of the person, should have opportunity to have input into it—the therapist; the nurse; the rehabilitation counsellor; the physician; and so forth.

What happens is that after the person is admitted and the history has been taken and after that person has been started on a treatment programme, this treatment team sits down and evaluates what the problems are

with this person as soon as the team can identify them. The name of the game is to identify the problems the person has which is just as important as making a diagnosis at that stage of the game.

Having done this, if they identify a problem which may be related to an emotional factor—even if they can't be certain that all that is wrong is that the person is uptight about the whole situation—if they feel that a psychiatric consultation will help them to resolve this problem area they will arrange it internally and have it carried out.

The rule which they operate on is that they inform the patient about his treatment. In other words, first of all, I would say I find it very hard to imagine that any of the treatment staff would say, "There is really nothing wrong with you except you may be off your nut," because I really don't think any of the treatment staff out there use that approach.

The other thing is they are supposed to involve the patient in the treatment—namely, "We are going to have you seen by a psychiatrist. This does not mean we think you have any mental problem but we think this is part of the investigation we would like to carry out." I suppose it is quite conceivable, when a person is sitting there and is being told this, that what he listens to might indicate when he starts to recollect, "My gosh, maybe they think there's something wrong with me mentally." But it is explained to each person quite carefully.

Mr. Reid: I would beg to differ with you. When somebody comes down to Downsview he is usually upset to begin with and has problems when he gets there.

Dr. McCracken: As upset as anybody going to any hospital, I would say.

Mr. Reid: With all due respect, from the feedback I'm getting, whoever is responsible is not explaining fully to these people what the nature of the psychiatric examination is all about. The impression that the injured workman has is that the people at the hospital feel that he is off his rocker and that that's his problem. This hasn't happened in just isolated incidents; it's happened to everybody. Are you telling me that everybody automatically receives a psychiatric assessment when he goes to Downsview?

Dr. McCracken: No.

Mr. Reid: How do you pick and choose who gets it then?

Dr. McCracken: The treatment team is the group that decides. It's not the doctor alone, it's not the occupational therapist alone, it's no one person alone. It's a team recommendation. By no stretch of the imagination does everyone who goes to the hospital have a psychiatric consultation.

I have the figures here somewhere as to the number—if I can find it, I'll get back to you—but a minority of the patients at the hospital require a psychiatric consultation. In many instances they receive consultations from the orthopaedic surgeon who is at the hospital before they get a psychiatric consultation. In many instances, they are seen by a neurologist at the hospital before they get a psychiatric consultation. It's not that they come in and the first thing that happens is they have a psychiatric consultation.

Mr. Reid: Can I suggest that perhaps you might improve your consultation at least with the people there so that they are aware of what it is, because in our society today people hear the word psychiatrist and they draw the obvious conclusion?

One other thing, if I may, I have a letter here from a constituent who was examined by a doctor who is not employed directly by the board but does work for the board. This particular woman was interviewed and was treated by this particular doctor. The doctor tape-recorded the interview and the consultation with that particular woman without first of all telling her that he was doing so and without her permission. Is this a normal procedure and if so why is this being done? It is a normal procedure, I gather.

Dr. McCracken: No, it isn't. If I might speak to this, I'm not going to mention names, but I certainly will if you want me to to identify the doctor, because I think I know who the doctor is and he is a pretty renowned surgeon. I don't know whether you brought this to my attention or someone brought this to my attention. It was some time back. Being a rather blunt person, I got on the phone and said: "What are you doing, taping the interviews which you are having with your patients?" He said: "What do you mean?" I told him and he said: "What I do, as part of my routine, is that as I am taking the history I am dictating the history into my dictaphone at the time because I find that this in hindsight allows me to put down information that otherwise I might forget and which I think might have a bearing on the case. I can see where the occasional person will misconstrue what I am doing, but what I am doing, while I am taking the history, I

will pause and I will dictate the history into the dictaphone." He is not tape-recording the patient, he is tape-recording himself.

Mr. Reid: I gather that this renowned doctor also has a bit of a vile temper on occasion as well. According to the letter from my constituent, she felt very poorly and badly treated. The response that I got from somebody at the board was that the doctor was probably in a vile mood that day.

[6:00]

It seems to me that when they are treating these people that is not the kind of attitude they should take. These people have enough problems already without that kind of thing.

No doubt this gentleman in question is very competent at what he is doing but if her word can be taken, and I am sure she was upset as it was, he really gave her a bad time.

Mr. Starr: To be helpful to you I guess, Dr. McCracken, with respect to this doctor, should he not also be asked if he would not tell the people or explain prior to his interview that this is going to be done so that they would be well aware of this?

Dr. McCracken: When I was talking to him I suggested he was probably going to have to do this or his nurse was going to have to do it. As I say, he has a large volume of consultation cases going through his office and he was quite surprised when I brought this to his attention. He said, "This is the first time I was ever aware that anyone would think I was taping what they said."

Mr. Starr: Before we recess or the chairman calls us to recess, I have heard throughout this third day about circumstances at our office and at the rehabilitation centre. Mr. Reid—I'm glad you spoke now—came in one day to our head office and spent at least three hours or so there. He went through the building but I don't know whether it was helpful or not.

Mr. Reid: Yes, it was.

Mr. Starr: I would extend an invitation to each and every member of this Legislature, whether you come individually or in groups, to come and get some inkling of what is going on; a tour of explanation through our head office and, particularly, Mr. Bain, our rehabilitation centre. If you would come and see with your own eyes what is being done there—

Mr. Bain: I haven't spoken yet.

Mr. Starr: No, but you mentioned a moment ago that things aren't going too well there. We'd be glad to have you at your convenience. We will make arrangements and have people explain the process to you; you will be able to speak to the people there who are going through the process—

Mr. Bain: I would be more than happy to, if you and especially the Minister of Labour will reciprocate by coming to the riding and meeting the injured workers who can't get their claims through the board. I think the exchange would be very useful.

Mr. Starr: I will welcome any kind of communication with your people. Just let me know and I'll explain it to them.

Mr. Bain: We'll arrange an exchange, okay?

Mr. Chairman: Is the committee willing to meet again at 8 o'clock?

Mr. Haggerty: We have a resolution we have to deal with. We should set a time—

Mr. Chairman: I understand the House is going to rise at 10 o'clock.

Mr. Bain: We can always come back at 7:30.

Mr. Haggerty: No, the House is sitting straight through, I understand, so we're going to have to be working in shifts.

Mr. Chairman: We will meet again at 8 p.m.

The committee recessed at 6:03 p.m.

APPENDIX D

Standing Resources Development Committee

THURSDAY, DECEMBER 16, 1976

The committee resumed at 8:05 p.m.

THE WORKMEN'S
COMPENSATION BOARD
(concluded)

Mr. Chairman: It is past 8 o'clock, and we do have a resolution before the committee as well as several members who would like to speak. I am just wondering if Mr. Bain would like to lead off and then we could possibly go into the resolution and discuss that, because you indicated to me that your speech wouldn't be too lengthy.

Mr. Bain: Okay, thank you very much, Mr. Chairman.

Mr. Haggerty: Mr. Chairman, I think there had been agreement by the House leaders that this wouldn't run concurrent with the major debate that is being held in the chamber tonight, and I thought perhaps maybe we could get on with the resolution, or if he is going to take 10 or 15 minutes—

Mr. Bain: I promise to be very brief, Mr. Chairman, very brief. Mr. Haggerty can tell me when my time is up. How is that?

Mr. Haggerty: I will tell you. That's for sure.

Mr. Chairman: Okay, Mr. Bain.

Mr. Bain: Thank you very much. Because of the time constraints, I will be very brief. I think the chairman of the Workmen's Compensation Board and other people from the board are aware there is an obvious difference of opinion on how the board operates between ourselves and many members of the Liberal Party and members of the board. We feel that some of the problems that arise are not isolated incidents but are a general indication of problems within the board. I think some of those problems are attitudinal problems.

I think a lot of this stretches back from the time the Workmen's Compensation Board was originally set up. The Act was passed in 1914. Basically, I find again and again that the benefit of the doubt is not given to the worker. That's where the problem lies. I am not going to cite chapter and verse that I have, but I will just cite a couple of examples and one particularly I would like you to look into. I had a case and I think this one will go down in history eventually.

It is being fought now by a very indomitable woman. Her inner courage and strength are an inspiration to many people. Mrs. McLeod has been fighting for her deceased husband, not because there is any tangible economic gain, but like many other people she feels the condition in the mines that has led to the industrial diseases that the miners have should be recognized and should be compensated for. An autopsy done by Dr. Ritchie indicated her husband had carcinoma, silicosis, emphysema, chronic bronchitis—just to mention a few things; the list is much longer, and I won't read all of it. Her husband was denied a compensation pension because there was no indication that his death arose out of his employment. Any doctor who reads the autopsy and knows that the man worked in a mine since 1926, I believe, will quickly realize that there was an association. Only through her valiant effort was Mrs. McLeod able eventually, after her husband's death—the claim was originally started by her husband—to get any sort of recognition by the board. They finally gave a 10 per cent disability pension, but they weren't even magnanimous enough to say, "Well, yes, it was because he worked in a mine." They said it was an arbitrary decision they had made, and they made it because Mr. McLeod was now deceased and was not present to be examined. Because they couldn't check it out, they made "an arbitrary decision."

Mr. Wildman: Why didn't they exhume the body?

Mr. Bain: If a person had carcinoma, silicosis, emphysema and chronic bronchitis and had worked in a mine, I think benefit of the doubt would indicate that he should have been given reasonable compensation by the board. Again, the problem of benefit of doubt keeps cropping up.

In another situation, an employee who worked in a mine was injured and he could not go back to his old job. The board cut off his pension because they said that he was offered suitable employment by the mine and he wouldn't take it. The source of that? "Your employer informs us that the information you"—referring to the miner—"supplied the adjudicator is not correct in that you were offered suitable work in the machine shop which you would have been able to do but you elected to take early retirement instead of returning to work."

Upon investigation—they investigated because the matter was brought to my attention and I, in turn, brought it to the attention of the board—the board found out, in effect, the employer was not correct. The employer did not offer the man suitable employment. The employer offered him his old job back. In a normal circumstance where you have the employer saying one thing and the employee saying the other, if you don't give the employee the benefit of doubt, at least you would investigate further—but not on the basis of the employer simply saying that a suitable job had been offered. The person should not have to come to the member, and the member should not have to intervene in that way, if benefit of doubt were to err on the side of the worker. That has been resolved.

I would like to give you one instance tonight, and I will give it to you very quickly—it was a very neat trick, actually—where the employee was injured in August and for a week's time he was sent home every day by the employer. The employer said, "Okay. You are not feeling well? You can't work? That's fine. Go home." A really nice employer, really generous; a nice guy. They gave him full pay. Then he was laid off, and the company said to the Workmen's Compensation Board: "Look, this guy worked for a full week after he was injured. There is nothing wrong with him." The board accepted the view and when we contacted the employer, the employer said to us: "This was resolved. We have resolved this with the ministry and the Workmen's Compensation Board." They wouldn't give us any information. What we wanted was some sort of employment record or some indication of what had been going on, but they said they would not give it to us. Unfortunately, we contacted somebody at the board whose name I won't reveal simply because I don't want to get the guy into trouble. I hope he was mistaken, but he informed us that the board could not get the legal records from the company. As I say, I hope he was mistaken. We were told we should suggest to this constituent that he apply for legal aid in an effort to get the information that was required to prove his case, the employment records.

As I say, I am sure you can clean this up. I hope that the clout of the board is a little greater than that employee of the board seems to think and that you will investigate this.

[8:15]

The claim number is C-10431606. I mention that because I figure you can cut through some of this red tape. I don't feel

that this man or anybody else—I've had cases in my riding in which the people—I had one this summer in which the person was on the edge of having to go for assistance. I want to make sure this man doesn't end up in the same situation. That other man came to me and he said, "I have never gone on general assistance. I have never gone on welfare and I don't feel I should have to. I've been on compensation but compensation is not a welfare programme. I think I'm entitled and I don't think I should be forced to take welfare."

The Compensation Board, again, when it was brought to its attention, cleared it up and the man did get his money. But that man this summer had to wait well over six months and I want to make sure that doesn't happen to this man whose claim number I have just given you.

I can go on at great length about a number of things but I won't because of the time.

French—that was raised today; Mr. Wildman raised it about Dubreuilville. The problem is even greater than one might think. It's not restricted to Dubreuilville. I have a number of people who've gone to the board and because of language problems have not been given a fair break. I won't go into the details of this particular case because the details are not significant.

The fact is this man cannot speak English well enough to be able to discuss all the ramifications and all the work history he's had. He has had interpreters present but these interpreters are not very good. In one case, when he was interviewed by a neurologist, I believe it was, this is what the neurologist had to say: "It was difficult for an interpreter to understand the man and to keep him on track in the conversation. It was almost impossible to get a consecutive history."

I've spoken with this man and I've spoken with his wife and members of my office have as well. I would defy this neurologist to try to keep some of the members of this House on track in a conversation so let's not say that about this particular man.

The problem really is one of not having adequate people available to translate. I realize the budgetary constraints but if you can't provide enough staff to provide interpretation, I think you should cover expenses for somebody to come with those people when they come to Toronto from their home area, if need be to provide interpretation.

Mr. Starr: I have a question, if you'll permit it. I'm intrigued by the fact that this neurologist was trying to interview this claim-

ant and had an interpreter present. Where was this done? Where was this neurologist?

Mr. Bain: At your hospital.

Mr. Starr: At our hospital? At Downsview?

Mr. Bain: Yes. It's not just at the hospital; this man came down for a hearing before the board and he had the same problem. Fortunately, this time the man was lucky enough to have a priest come with him from home to act as an interpreter.

If the board cannot provide interpreters—I'm not talking about somebody who's got a degree from the U of T in French; I'm talking about—I could probably get a degree in French.

Mr. Starr: Was he French or Portuguese?

Mr. Bain: He was French. A lot of people get university degrees in French today. It doesn't mean they're bilingual and it certainly doesn't mean they can talk to people in everyday language. Somebody has to do something about that and, if need be, you should provide the expenses of interpreters to come down from home with the people.

Mr. Starr: We have a French translator and interpreter in our office. You can talk to him yourself.

Mr. Bain: I'm sorry but we have had people from our office sit in with your interpreters and it was not satisfactory. I think that problem has to be overcome otherwise you're depriving these people of a basic right to receive justice in their own language. You're going to have to rectify that problem.

I have a number of things that I will not raise because of the time constraints. It's very generous of other members to allow me to speak. One last thing, there's not much point in having appeals in Timmins for many people in Timiskaming. For me to go to Timmins, I might as well go to Sault Ste. Marie or Thunder Bay or any place else. Timmins is not in my riding.

Mr. Starr: How about Kirkland Lake?

Mr. Bain: If you'd like to have appeals in Kirkland Lake, that would be just fine with me, but I don't know that that would be something that you might want to do. If you wanted to have appeals in Kirkland Lake, that would be great. You have transferred them from Timmins to Toronto for me. The board has been co-operative in this. It's just that we haven't got a definite policy. When I've asked that appeals from Timmins be transferred to Toronto, I have been given

permission to have that done, but always reminded that this was not board policy and the appeal should have taken place in Timmins.

I wouldn't want to end up in a situation where, if you have the appeal in Timmins, I can't go to Timmins. The budget that's allowed for our constituency offices does not permit anybody from our constituency office in Timiskaming to go to Timmins. The nearest one is in Kirkland Lake where I have an office. I believe you will not send WCB advisers up to Timmins either, is this correct?

Mr. Starr: They don't go out.

Mr. Bain: That means if the man has an appeal in Timmins, he has nobody to represent him. If you would want to have some of those hearings in Kirkland, great stuff. If you're going to have it in Timmins, you might as well have it in Toronto because the man's expenses are covered and I'm here, and I have better access to the Workmen's Compensation office.

As a concluding remark, Mr. Starr, when you spoke before the committee you mentioned the concern of the board that you were running into problems compensating workers and that you were afraid that by increasing the assessment against companies this would in some way affect those companies in an economic fashion. Maybe you didn't mean it, but when you spoke out like that it sounded, and the way it was reported in the press, that you were standing up and defending the rights of industry and big business. Let the Minister of Industry and Tourism say something like that. Let the chairman of the Compensation Board say we're going to make sure in this province that the workers are compensated fully for any injury or industrial disease they suffer and that as long as we are restricted by legislation that says the companies have to cover it, then those companies are going to pay whatever assessment is necessary regardless but we're going to make sure the workers get their due in this province. Don't apologize for the companies.

You are the man who is supposed to stand up for injured workers in this province. As I said, let the Minister of Industry and Tourism make statements like that.

Mr. Starr: The amendments of 1974 and 1975 were the most massive for the benefit of injured workers in the history of the Workmen's Compensation Board over 60 years. That alone proves it.

Mr. Bain: What I am saying is don't make statements saying that we're going to have trouble coming up with the money from those companies. That's what I mean.

Mr. Starr: I never said that really.

Mr. Bain: The Globe and Mail, I haven't known to be wrong.

Mr. Starr: You don't believe the Globe and Mail, do you?

Mrs. Campbell: Sometimes it is.

Mr. Bain: On rare occasions, but I believe you did basically say that.

Mr. Johnson: Mr. Chairman, let's have a vote on the resolution.

Mr. Bain: I appreciate the time. As I said, I was concluding so I would appreciate it if you'd look into that one case, the claim number I gave you.

Mr. Starr: We'll let you know.

Mr. Bain: And Kirkland Lake, if you'd like to do that, it would be fine.

Mr. Chairman: Have you concluded your remarks, Mr. Bain?

Mr. Bain: Yes, thank you very much.

Mr. Chairman: We do have a resolution and it was agreed when the resolution was put the other night that we would set aside an hour at least for a debate on the resolution. Recognizing the fact that we do have time limits and that the budget is before the Legislature and some of the members would like to be in the Legislature while their leaders are speaking, I would like to have some guidance from the committee as to what you want to do. Do you want to discuss the resolution that was proposed by Mr. Haggerty now?

Mr. Laughren: Mr. Chairman, if I might, I think we should discuss the motion by Mr. Haggerty, but there are some of us who have attended for three days and do feel that we have some kind of right to speak on this committee before we get to the resolution. In view of the fact that it's only 8:30 and the House will undoubtedly sit till 10:30, I don't see why you are pushing the button.

Mr. Chairman: I'm just asking for the guidance of committee members.

Mr. Laughren: I'm giving you some.

Mr. Johnson: Can't we put the resolution and you can go on after that?

Mr. Laughren: How does that make sense?

Mr. Johnson: It makes as much sense as sitting here for another three hours and repeating what has been stated on numerous occasions. I think the resolution is more important than listening to repetition.

Mr. Bain: It's been proven, though, that people learn from repetition.

Mr. Laughren: It's hard to understand how the member anticipates what the rest of us are going to say and that it's automatically going to be repetitive. I don't understand how he can do that.

Mr. Johnson: Maybe from past experience.

Mrs. Campbell: Mr. Chairman, I certainly don't want to cut anyone off, but it seems to me that a commitment was made to Mr. Haggerty. Therefore, surely it would be appropriate to deal with the resolution and then—well, we don't know. We may have to be called to a vote. Anything can happen from here on in. I would suggest that, in fairness, the resolution be debated now. It may not be necessary to give it a full hour but at least let's get that done and then the time is free from there for people to carry on with what I believe—and I have to say this—I think from what I have heard there have been some very useful positions taken by people in this committee. I'm not for one minute belittling anything that has gone on, but the commitment was made and it should be honoured. Otherwise, you will run out of time and then you will have failed in a commitment to a member. That's all.

Mr. Laughren: Mr. Chairman, we are here in this committee to question officials of the Workmen's Compensation Board and to put our views to them more than we are to entertain resolutions of the committee, although of course I'm not ruling out the legitimacy of Mr. Haggerty's resolution. I agree.

Mr. Chairman: It was agreed that we would debate when the resolution was introduced.

Mr. Laughren: I agree. Mr. Chairman, if you would let me finish. I'm not disputing the legitimacy of Mr. Haggerty's motion. Of course, it's legitimate. All I'm saying is that we should keep in mind that the reason we are here and we have had the Compensation Board here for three days, is so that we could have a go at them, not that we can have a go at Mr. Haggerty.

Mr. O'Neil: Mr. Chairman, is there any opposition to the resolution that it has to be debated?

Mr. Laughren: It's like fighting a marshmallow. Who is against marshmallows?

Mr. O'Neil: Then why don't we take a vote on it and see what happens and then we can go on with other discussions?

Mr. Wildman: I'd like some hot chocolate with the marshmallows.

Mr. Haggerty: I have sat in here almost from the beginning of this committee relating to the Workmen's Compensation Board, and it was a gentlemen's agreement between the parties that it would wind up before the budget speeches in the Legislature. This is the only thing that I'm making reference to. I think everybody has had ample time to discuss some of the issues that bother them in looking after their constituents and claims, and I thought, by this time, that we would have this wrapped up. I mean, we sat all day yesterday—the committee did. The minister was not here. The minister is not here tonight. She perhaps might be listening to the debate in the Legislature. I don't know. I think she should be here. It may be indicated by the NDP that it's a marshmallow resolution.

Mr. Chairman: Mr. Haggerty, I think the minister explained the other day that she could not be here.

Mr. Haggerty: I know she was yesterday, but I'm not—

Mr. Chairman: She was also involved in a bill before the Legislature. She was here this morning.

Mr. Haggerty: Maybe the resolution does not go quite as far as I would like to see it go myself, but I'm always a person who takes the moderate approach. I'll take half a loaf instead of nothing at all. If I can move this committee and move the chairman of the Workmen's Compensation into this line of thinking then I think we have gained some ground. I think there is agreement between the House leaders and even within this committee that we would have this wound up by this time. We could go on until 2 or 3 o'clock in the morning.

[8:30]

Mr. Chairman: We did agree to present this resolution. We did have a commitment. I might say, for the information of the committee, that the NDP has had 254 minutes more than the Liberal Party in this com-

mittee. I don't like to be a time watcher or a clock watcher but that's exactly what's happened.

Mr. Laughren: All right. Would you accept at this point an amendment to Mr. Haggerty's motion and allow me to speak to the amendment?

Mr. Chairman: Did you want to present your—you were going to present your amendment previously.

Mr. Laughren: I wish to make an amendment and then speak to it. Is that appropriate?

Mr. Chairman: You are the introducer of the resolution?

Mr. Laughren: I would assume that's in order.

Mr. Haggerty: I can't presume what you have over there. I don't know whether you are supporting the intent of this resolution or not. Yours may change the whole picture. I don't know.

Mr. Laughren: You won't know that until I present it.

Mr. Haggerty: It's up to the chairman.

Mr. Chairman: Would you present your amendment, Mr. Laughren?

Mr. Laughren: I would amend Mr. Haggerty's motion by adding to it that the Workmen's Compensation be abolished and replaced by a comprehensive social insurance scheme.

Mr. Haggerty: You are jumping to conclusions.

Mr. Laughren: Not at all.

Mr. Haggerty: You have altered the intent of the resolution right off the bat.

Mr. Laughren: It says that in your own resolution.

Mr. Haggerty: No, it doesn't. It says a study.

Mr. Laughren: What does the second part of it say?

Mr. Haggerty: You might say that is a preamble but it doesn't indicate that. Hopefully, that's what it would indicate later on after the study is completed.

Mr. Laughren: I think we could talk all night about the—

Mr. Wildman: Is the amendment in order?

Mr. Chairman: That's rather questionable. I would question it in view of the resolution introduced by Mr. Haggerty.

Mr. Wildman: What do you interpret the second part to mean, Mr. Chairman?

Mrs. Campbell: Would you read it so that we may all—

Mr. Chairman: The resolution of Mr. Haggerty was that in the opinion of the committee the government should immediately move to establish a study of all benefits available to the injured workmen of this province. Consideration should be given to the establishment of a comprehensive accumulation of information concerning these programmes such as Workmen's Compensation benefits, accident insurance, Canada Pension benefits, sick benefits, welfare benefits, bargaining union programmes and others, as well as the establishment of counsellors to aid the workers in obtaining the benefits due to them. (2) The minister consider the adoption of a new approach in this area and if it seems reasonable to accept a plan integrating all the present programmes of assistance to provide a measure or means of economic security to the injured employees and survivors' benefits.

Mr. Laughren: Are you ruling my amendment out of order?

Mr. Chairman: No, I haven't ruled on your amendment.

Mrs. Campbell: May I speak to the question of whether or not it is in order? The way in which that motion is couched, with the suggestion that you do a comprehensive survey and a comprehensive reorganization, the subject matter is then opened, may I suggest. The only difficulty is that the resolution calls for a study. The amendment as proposed, with respect, comes to a conclusion as to what the study will show. I would suggest that while it's within the parameters of the resolution it does change, somewhat substantially, the meaning of it.

Mr. Bain: If I could speak to the same point, when there was an amendment before the House regarding negotiations on Bill 131, The Farm Income Stabilization Act, there was an amendment introduced by Mr. MacDonald regarding negotiations.

There was subsequently a subamendment introduced by the Liberal Party which negated the amendment. The chairman allowed the debate of the Liberal amendment which

subsequently was passed. I don't think the Chair has ruled in the House on a motion negating another amendment. I know if you go by Roberts rules certainly you would, but not by the rules that have been used in the House.

Mrs. Campbell: I don't know what the rules of this House are.

Mr. Bain: If you use the example I have used, that's exactly what happens. If the Chair in the House allows that kind of a subamendment to be introduced, Mr. Laughren's subamendment is exactly the same kind of subamendment.

Mr. Chairman: It seems to me, and I could be wrong, but I thought that Mr. Laughren told us the other night or the other day when Mr. Haggerty introduced the resolution that he was going to introduce an amendment but he would make the committee quite aware of the amendment before it was introduced. We should have some time to think about it. That's one of the reasons you didn't support the amendment or the resolution the other night when Mr. Godfrey asked that it be tabled for later discussion.

Mr. Laughren: With all respect, Mr. Chairman, I would suggest you make a ruling. The commitment was that this committee would sit for three days and I would put to you that we have an obligation or at least a privilege to sit here until 1:30 at least. If you want to debate Mr. Haggerty's motion now, fine, go ahead and debate it. If you want to allow my amendment, fine, allow the amendment. I intend to speak anyway. I just believe we have the right to be here until 10:30 and the committee has no right to adjourn before then and that it really doesn't matter what way you rule.

Mr. Chairman: Then we'll discuss Mr. Haggerty's motion.

Mrs. Campbell: Mr. Chairman, was there or was there not an agreement as to this?

Mr. Chairman: There was an agreement that we would discuss Mr. Haggerty's motion.

Mrs. Campbell: That's the only agreement?

Mr. Johnson: The agreement was that we move the resolution presented by Mr. Haggerty tonight.

Mr. Chairman: We were going to leave it until towards the end of the committee meeting and then we were going to discuss it.

Mr. Johnson: But also with the understanding that because of the possibility of a vote in the House we should complete this part of the business before the vote would come up, as Mrs. Campbell has mentioned.

Mr. di Santo: Mr. Chairman, is it my understanding that you don't accept amendments to the motion?

Mr. Chairman: No. As Mr. Laughren said, if you want to discuss the motion or the amendment it's all right. I decided that we would discuss the motion.

Mr. di Santo: But I'd like to present an amendment. Is that possible?

Mr. Bain: Mr. Laughren invited the Chair to give that interpretation, showing that Mr. Laughren is very flexible.

Mr. Laughren: I just want to get on with the debate.

Mr. Bain: The one thing I think we have to clarify, and this is what Mrs. Campbell raised, is how long we sit after that motion is voted upon.

Mr. Laughren: To 10:30.

Mr. Bain: We assume it's 10:30 and we ask the chairman if he also is aware of that. If that's right, then we should proceed.

Mr. Chairman: Mrs. Nokes tells me the latest word they have is there could be a vote at 10 o'clock.

Mr. Bain: The committee obviously adjourns for a vote but can come back if need be.

Mrs. Campbell: I just want to say this to try to shorten it if I can. I understood the chairman to say that there was an agreement that this resolution, together with amendments, would be debated at this time because it was agreed by the House leaders that this committee would then rise to go up for the budget address. Is that so or isn't it? If you've made that ruling, it sticks. If it isn't the case, let's get on with the debate.

Mr. Chairman: I can't say that I was under the impression that we would go up for the budget debate but I think we sort of expected that that would happen.

Mr. Haggerty: Wind it up before that.

Mr. Chairman: It was agreed the other night—and correct me, Mr. Haggerty, if I am wrong—when you introduced that resolution, that it would be postponed but that it

would be discussed before this committee rose.

Mr. Haggerty: That's right.

Mr. Chairman: And I think now is the appropriate time to discuss this resolution introduced by Mr. Haggerty.

Mr. Bain: For clarification, Mr. Chairman: We're going to discuss the resolution, we're going to vote on it, and we're going to sit as a committee until there is a vote called in the House. Correct?

Mr. Laughren: Question.

Mr. Haggerty: Once the House is prorogued, I don't think we have any authority to sit beyond that time.

Mr. Chairman: No, we can't sit beyond that time.

Mr. Wildman: We can sit until there's a vote called.

Mr. Bain: We can sit until there's a vote called. Is that correct, Mr. Chairman?

Mr. Chairman: I was under the impression that we would have this discussion before the three final speakers participated in the budget debate. I don't think it was really spelled out, but I was under the impression that when the NDP member was speaking, you would like to be there. I was under the impression that when your leader was speaking—

Mrs. Campbell: Our leader is speaking now.

Mr. Chairman: —you would like to be there. And I think when our leader is speaking that some of us would like to be there. It's as simple as that.

Mr. Haggerty: That's right.

Mr. di Santo: Just for the record, Mr. Chairman, if we discuss the motion, I don't understand why you shouldn't entertain amendments to the motion. Isn't that the procedure?

Mr. Chairman: Actually, the other night—and you may or may not have been here, Mr. di Santo; I don't know—Mr. Godfrey made a motion that this would be discussed towards the end of our deliberations, and we agreed then that we would give ample time for discussion. Mr. Haggerty brought in the motion. Actually we should have discussed it then, but he was gracious enough to allow us to continue the discussion be-

cause we had so many participants in the debate. I think we should—

Mr. Wildman: On a point of order, Mr. Chairman. At the time Mr. Haggerty so graciously stacked his resolution, if you want to use that term, Mr. Laughren also indicated that he would move an amendment. It would seem to be in order for it—

Mr. Chairman: That's right. I was under the impression that he was going to bring in the amendment before the present time, actually, so that we would—

Mr. Wildman: But, still, isn't it in order for him to introduce it?

Mr. Chairman: One of the problems the other night was that we said we would like to have this so we could have a few days to think about it.

Mr. Wildman: Right.

Mr. Chairman: It was printed up. Don't you remember that, Mr. Haggerty? Now Mr. Laughren has brought in an amendment we haven't even had the chance to look at until he introduced it tonight.

Mr. Bain: It's pretty straightforward, Mr. Chairman.

Mr. McCague: In your opinion.

Mr. Chairman: It may be straightforward, but it's pretty—

Mr. O'Neil: How long does he want to speak on the amendment?

Mr. Wildman: Either the amendment's in order or it's not—one or the other.

Mr. Chairman: I'm not saying it isn't in order. Mr. Laughren said he was quite prepared to discuss either the amendment or the resolution.

Mr. Laughren: We should make a ruling, Mr. Chairman.

Mr. Chairman: Then we'll discuss Mr. Haggerty's resolution. Mr. Haggerty?

Mr. Haggerty: I think we've lost about half an hour here debating whether we should discuss the resolution or not.

I think the resolution is a workable means that can be accepted by the committee. At the present time there are a number of programmes or plans that are available to a number of persons in the province of Ontario. We have the Canada Pension Plan. We have the unemployment insurance plan. We have company pension plans. We have no-

fault automobile insurance, which is another type of insurance that provides \$70 a week. We also have old age security pensions whereby persons aged 65 or so can still draw compensation. We have a number of industries that provide sick leave. We have sickness and accident insurance. We have medicare, Blue Cross, dental programmes, drug programmes—we have all these things available to a person employed today.

Some of these plans or programmes, in my opinion, perhaps are overlapping in their intentions in that they often lead a person to believe that if something does happen to him, regardless of where the accident happens, he's got some security there. But in a number of instances, you can't get by on \$70 a week today.

[8:45]

The intent of this is that the minister would initiate a study and bring in the necessary information and perhaps through that study will tell us that there is a need for a new social programme in Ontario.

It was mentioned before that New Zealand has this type of programme today. I don't know how successful it is. It is perhaps on a trial basis but again I think it's worthwhile that we should be taking a look at that particular type of legislation.

When you look at it today it is almost like a tri-party contribution by employees, employers and by government in a number of these programmes. I think it is time that we sat down and took a good close look at this. It is costing the consumer perhaps additional cost. We have the employer who is paying into a number of these programmes. It is costing him a good sum of money, too. Even the employee himself is contributing in a number of schemes. Sometimes you are paying for these schemes but you are not getting the full value out of them.

This is one of the reasons that is here in the second paragraph of the resolution. I think the minister should consider the adoption of a new approach in this area and it seems reasonable—I've got the words "consider" and "reasonable"—to accept the plan. I am not saying she should accept it because I am not sure I am sold on the idea myself until I have all the information before me. I think ample study will surely indicate that there should be one programme available to all Ontario's citizens to provide them with sufficient income in case of illness, accident, whether in a plant or outside the plant. I think we should be looking in this direction.

I haven't used the words guaranteed income. I have used the words economic secur-

ity. I think it is most important that the person who is injured or disabled has a good security programme to provide him with sufficient means to support a family and maintain a decent living.

To keep it short, the only thing I hope the committee members will approve is this study to find out what direction we should be heading for. The Camp commission report has just been presented to the Legislature and as the lead-off speaker was saying, government must change with the times. I think this is one particular area in which we should be looking for a change.

Mr. McCague: Mr. Chairman, did I lose my turn on the totem pole?

Mrs. Campbell: Yes, you did.

Mr. Chairman: Yes, you did but we will call on you now.

Mr. McCague: Thank you. I don't see anything wrong with Mr. Haggerty's motion and I feel our party should go along with it. We should be willing to review these things from time to time. I would ask the indulgence of the members of the other parties in order that we can get back into the House to listen to what our leaders have to say about the affairs of the nation.

Mr. Laughren: I would just say that we choose not to debate the motion other than to say we cannot support it because it lacks any kind of substance at all. If you wish to put the question, that's fine. Then I would like to make a few remarks directed towards the Compensation Board.

Mrs. Campbell: Mr. Chairman, if this is the way it is I would like to have an opportunity to speak to the resolution. If I am out of turn—

Mr. Chairman: No, you are not out of turn. Any member of the House can speak to the resolution.

Mrs. Campbell: I can understand some of the concerns which have been expressed by Mr. Laughren. We have all had concerns and Mr. Haggerty is certainly in the forefront over the years in expressing concern for the way in which compensation has operated.

However, it does seem to me that we ought at least get the facts before we start jumping to any kind of conclusions. I don't know how long such a study would take but I would think it wouldn't take that long to enable us to take a real look at where we are going.

Certainly I think that discussions at which I have been present in this committee have indicated the great concerns of the members for the way in which the injured workman is treated today. Case after case can be given. I have one case that I am referring, but I didn't produce them because you know you get tired of covering the same ground. We have to find a method by which the injured workman winds up with that kind of security which is not based on welfare benefits—and I am sure that is what Mr. Haggerty means by his motion. I don't think it lacks substance, with respect.

The fact that it doesn't jump to a conclusion ahead of getting the facts doesn't strike me as lacking substance. I personally don't like the idea of studies, if I knew the solutions and how they would function. I know I am not at liberty to debate an amendment which hasn't been put, but if we look at a plan or a statement of what ought to be done, I am convinced the employer should not be off the hook for compensation to the employee injured in the plant. I don't think it should be a case of the government assuming that responsibility.

Therefore, I would like to see the study done, and to see just where we can go so that the employee, for whom all of us on the committee have a concern, is protected. I could foresee in some cases that we would wind up with the state supporting industry, for example, by some schemes that might be involved, and I personally am not prepared to go that route until I know what else can be done.

If I had a vote, Mr. Chairman, I would be supporting the motion, but since I wasn't substituted I am afraid I can't vote on this resolution.

Mr. Chairman: Is there any further discussion on Mr. Haggerty's resolution? If not, are you ready for the question?

Mr. Johnson: Would you read out the names of the people entitled to vote please?

Clerk of the committee: Mr. Bain, Mr. McCague, Ms. Gigantes, Mr. Johnson, Mr. Lane, Mr. Laughren, Mr. McNeil, Mr. Riddell—I don't think he is here—Mr. McClellan is substituting—

Mr. Haggerty: I am on there for Mr. Cunningham. Margaret, you could have got in for Mr. Riddell.

Mr. Chairman: All those in favour of Mr. Haggerty's motion will please indicate by raising their hands. Four.

All those opposed will please indicate by raising their hands. Five.

The resolution is lost.

Mr. Johnson: The NDP don't have five voting members on the resources committee.

Clerk of the committee: Mr. Bain, Ms. Gigantes, Mr. Laughren and Mr. McClellan.

Mr. Johnson: Four. Then who voted for the extra one?

Mr. Chairman: I am going to call the vote again. This is very serious.

Mr. Lupusella: I thought I was nominated. Sorry.

Mr. Chairman: The vote is four-four.

Mr. Laughren: That leaves it up to the chairman.

Mr. Chairman: The resolution will carry.

Mr. Laughren: Mr. Chairman, may I speak?

Mr. McCague: On a point of order, Mr. Chairman, before the debate on Mr. Laughren's motion, could I read from Hansard?

Mr. Chairman: I understood that Mr. Laughren was going to speak.

Mr. Laughren: I was just going to talk to the Workmen's Compensation Board people; that's why they're here.

Mr. Chairman: Mr. di Santo is ahead of you.

Mrs. Campbell: Could we know what is in Hansard?

Mr. Chairman: The motion was a vote of four to four, and the chairman is voting with the resolution because I'm a member of this committee. The resolution is carried.

After Mr. di Santo, I think it was Mr. Lupusella.

Mrs. Campbell: Are we not rotating any more?

Mr. Chairman: Unless there's a Liberal in between, Mrs. Campbell.

Mrs. Campbell: There's going to be a Liberal in between, I'll tell you or we're going to have this business of one-sidedness all night.

Mr. Chairman: I'll tell you what the list was. Mr. Bain has concluded, and then it was

Mr. di Santo. If there's a Liberal, that's quite all right; then Mr. Lupusella and another Liberal and then Mr. Laughren and another Liberal and Mr. Bounsall. I would just remind the committee that the Liberals are short 254 minutes on the committee.

Mr. McCague: Mr. Chairman, on a point of order, before we proceed, would you agree that it's in order to set aside any argument there might have been as to when an amendment might have come in to Mr. Haggerty's motion?

Mr. Chairman: I think that's quite fair.

Mr. McCague: I would read from Hansard as follows:

"Mr. Laughren: On a point of order, if I might, Mr. Chairman, would it be acceptable to the committee if we left the debate on the resolution to the end of the committee hearings, at which point I would personally very much like to put a minor amendment to that resolution, which I am sure the Liberal Party would accept? Would that be acceptable to the committee?"

"Hon. B. Stephenson: Can we have notice of motion about the amendment?"

"Mr. Laughren: Certainly."

Mr. Laughren: That was certainly notice.

Mr. McCague: It certainly is.

Mr. Bain: He didn't say how much notice, he gave notice.

Mr. Laughren: Mr. Chairman, do I have the floor or do I not?

Mrs. Campbell: He said he would present an amendment.

Mr. Bain: He said, "I'm going to present it." That was the notice he gave.

Mr. di Santo: Can Mr. Laughren replace me?

Mr. Chairman: That's quite all right as far as I'm concerned. If you're going to yield to Mr. Laughren; he has the floor.

Mr. Laughren: Thank you, Mr. Chairman. You rule with a benign fist.

Mr. Chairman: I'm sorry, I'm just a poor farmer.

Mr. Laughren: You're a country lawyer, I know the type.

I just want to make a few remarks about the Workmen's Compensation Board and

some of the things I see as their problems and the solutions to some of those problems. I guess this is my fifth consecutive year here at the hearings of the Workmen's Compensation Board. There are some others in the room who've been here five years too—Mr. Bounsall and Mr. Haggerty, I know.

It really struck me during the sitting yesterday and on Tuesday how few of us had been here before or perhaps once before. At one point, I counted 15 MPPs in the room and only three were in their second term. I think one of the things that allows the present system to continue the way it is is that there's such a turnover of MPPs. When you sit here year after year, you get a sense of extreme frustration that you couldn't tolerate. If all 15 of us in the room were here for five consecutive years or 10 consecutive years, I can tell you the level of frustration and anger in the room would be a lot higher than it is. That makes it very difficult.

[9:00]

Our leader yesterday said—and I don't know what he meant when he said it and I haven't had a chance to ask him—"I suspect this is our last year of confrontation with the board." I don't know what he meant when he said that. You may recall he said that and I honestly don't know what he meant. I don't know whether he meant that the spirit of what I would propose to move tonight will be carried out in the future or whether that under a new government there wouldn't be the sense of confrontation there is now. I really don't know what the member for Scarborough West (Mr. Lewis) meant when he said that.

I suspect what he meant was that we couldn't go on the way we are, year after year, coming in front of the board, haranguing and harassing the officials of the board and the Minister of Labour, hour after hour. I ask you, is there any other agency of government which comes before a committee of the Legislature and subjects itself to the kind of criticism the board gets every year? Of all the agencies of government I know of, none other has to go through this exercise.

It must be a humiliating exercise for the board. Maybe you don't regard it as humiliating but you sit here for three days and you take nothing but flak. Every now and again you get a gratuitous comment from a Conservative member, such as the member for Algoma-Manitoulin (Mr. Lane), but you know as well that the criticisms are not just politically motivated.

A member of your board said to me today that they understood we had to take certain stances as though it was—

Mr. Wildman: I hope they don't believe that.

Mr. Laughren: I honestly couldn't understand that. There wasn't time to get into a real dialogue with the gentleman but it was almost as though they were thinking that we took a position against the board in order to be on the side of labour. That was what I got out of it. I don't want to read too much into what the gentleman said but it really bothers me—

Mr. Wildman: The board should be on the side of labour.

Mr. Laughren: If the attitude of the board officials is that when you come before the committee the members of the committee are posturing in their criticisms, we're not going to get very far. We're not to accomplish very much in these hearings. Year after year I see it happen.

This chairman of the board has been chairman now for, what, three years roughly? I personally think that three years is long enough to give a board direction; to give a board the kind of leadership that will turn it around and would give the board a kind of credibility out there which it doesn't have.

You have your constituency just as we have our constituencies. We get defeated when we don't speak to our constituency. If we make our constituents unhappy we get defeated. You make your constituents unhappy, you don't get defeated.

I know the chairman is very fond of saying that the vast majority of the cases, over 400,000 which you process every year, are resolved satisfactorily. I would rather say to you that what is done satisfactorily is only the routine. Only the routine is handled satisfactorily at the board. As soon as there's any kind of hitch, if there's anything unusual at all about a case, if there's anything new in the whole area of industrial diseases, it all breaks down. That's really sad because the board isn't there to deal with just the routine.

Surely, the board is there to give leadership, to give direction in the whole area of occupational health, prevention, income maintenance and rehabilitation? Surely, that's the role of the Compensation Board? It seems to me that when you have all the members of the Legislature, I suspect there are no exceptions who are harassed daily—I had a phone call from the member for

Sudbury East (Mr. Martel), who has been ill this session—

Mr. McCague: How is he?

Mr. Laughren: He's quite well, thank you. He's feeling much better. He said to me, "I understand the board is before the standing committee now." I said, "That's right." He said, "For God's sake, can you tell them that I'm getting five new cases a day?" Those were his exact words; "I'm getting five new cases a day."

I know we represent an industrialized area, a mining community. That mining community has been there as long as the board has—60 years—yet we still go through the same problems, year after year. The Compensation Board comes before us and every year it's the same kind of process.

You must look forward to these hearings with some kind of dread, because you don't learn anything when you come before the committee—I don't believe you do. I don't mean that as a personal insult, because it's so repetitive. The gentleman over here was right in a sense when he said that we're going to hear more of what we've already heard. I would just expand that into, not an individual debate, but year after year you hear the same thing.

How many new arguments have been put to you this year that were not put last year, and the year before that, and the year before that? You always have the same question of administrative problems, the same problems of recognizing new industrial diseases, the same problems about Downsview rehabilitation centre, the same complaints you always get and the level of benefits, of course. It just seems that the board has become paralyzed in terms of new directions, in terms of initiative.

You know and I know that Ministers of Labour come and go. There are new Ministers of Labour year in and year out, they change places at that table, but the chairman of the Compensation Board doesn't come and go. The chairman of the Compensation Board is there. While my instinct is always to go for the political figure with the Compensation Board—namely, the Minister of Labour, because that's who sets the legislation—I really think that in the case of the Compensation Board the chairman must assume a major responsibility for the success or failure of the programmes. I hope I could be dispassionate enough to give you credit if new programmes were coming in that were laudatory.

The letter that Dr. McCracken sent out to the medical profession was laudatory and we said so. We said in the Legislature that was the way we should be moving and we were very glad to see that. I want to tell you that the opportunity doesn't arise very often for us to say that and to make those kinds of gestures.

I was one of those who fought against heaping praise upon the present chairman of the board three years ago when you were appointed, because I always felt that the problem with the compensation board was not the chairman. That's what I thought. I said, "You must not blame Mr. Legge," or Colonel Legge or Brigadier Legge or whatever he was. "He had his idiosyncracies with his head table and so forth, but it was the system that was wrong."

I still believe that. The whole system is archaic, but I think that the present chairman has been there long enough now to have given the board his stamp. I don't like what I see. I don't see that the chairman has changed it from an adversary system at all. It's clearly an adversary system, and when I look back over your opening statement you indicate why it can be nothing else but an adversary system, when you start pleading the cause of the employers in the province of Ontario and the enormous cost to them.

Then I look at Dr. McCracken's performance yesterday. I thought that was really remarkable and it really distressed me, though. I want to tell you that really distressed me when Dr. McCracken got into the causal relationship with laryngeal cancer. I went back and looked over some quotes about what is meant by benefit of doubt and so forth. There's been a lot of talk about that and I'll talk just a little more about that later. As for Dr. McCracken's comment that "publicity will damage research," I don't know how you live with that kind of statement and I hope that you'll be able to explain it to us.

I have just a couple of comments about "benefit of doubt." I think probably that comes closest to irritating us as anything; that whole concept of benefit of doubt. If you never talked about it, it wouldn't bother us so much, but you talk about it, the Minister of Labour talks about it down at Biloxi, Mississippi—there's something that rings about Biloxi, Mississippi. When we look back over the people who have really been the heroes of the compensation system in Ontario, it's not the Compensation Board, not the Minister of Labour, but the Gus Frobels and the Paul Falkowskis, the Aimé

Bertrands. Those are the people who are fighting to make the compensation system a more just system in Ontario, and believe me they've got problems in making an impression on this board.

When I look at the lack of any kind of investigative aspect to your role, that bothers me a great deal. Dr. McCracken's letter to the medical profession is an exception and, believe me, I really think that was an excellent way to go about it. But I look at how Aimé Bertrand has fared. Do you know he was turned down because it was decided that cancer of the throat was not compensable? The union had to take hair samples from that man, send them down to a laboratory in the United States; tests showed silica in the hair samples, which I'm not suggesting is conclusive proof, but surely it's another little bit on that side of the scales that would favour compensating Mr. Bertrand. And yet it wasn't the Workmen's Compensation Board that did that research. It was the union. What if a man doesn't have a strong union to represent him? Nothing at all happens, and I think that's terribly sad.

I think the whole question of benefit of the doubt is something that the board is going to have to come to grips with. In all honesty, you cannot sit there and claim the benefit of the doubt principle, and then go through and look at the medical information that substantiates laryngeal cancer as a compensable disease. I know that there's information on the other side. We talked to Dr. Selikoff today; we phoned Dr. Selikoff in France. Do you know what Dr. Selikoff told us? He said: "From a statistical, scientific approach"—and Dr. Selikoff is, first and foremost, a scientist; I'm sure Dr. McCracken would agree with me. He is a scientist, first and foremost. Technically speaking, as a scientist, he told us that Dr. McCracken was right; but that if the principle of benefit of the doubt was important, you would compensate for throat cancer. That's what he told us today. It's a question of whether or not you're a scientist or whether or not you believe in compensation giving benefit of the doubt to the worker. And please don't take my word for that! I hope you'll correspond with Dr. Selikoff.

Mr. Starr: We certainly will. I think it's important enough to have it checked out.

Mr. Laughren: I think it is; and ask him whether he thinks that if benefit of the doubt is the overriding principle, whether or not throat cancer should be compensable.

Mr. Starr: We'll do that first thing in the morning.

Mr. Laughren: He's in France now attending a convention; we had some problems tracking him down, but that was what he told us this morning.

The other thing that bothers me about the board is that to this day you have not decentralized. Do you know what you've done in the name of decentralization? You have put a computer terminal in some of the offices; I don't know how many. I know you've got a computer terminal in Sudbury. That's one step in the right direction, but the people there still don't have the files. It's faster and more complete than making a phone call. I've seen them do it. I've been in there and watched it operate, and the information is just instantaneous. It's a beautiful system as far as it goes. But I don't know to this day why you cannot have your files up in Sudbury.

I don't know as well why you cannot decentralize your rehabilitation centre. There's been a lot of talk about decentralizing rehabilitation in Ontario. I'm sure that one reason you get so much flak about Downsview is that people from northern Ontario don't know that Downsview is a bad scene, although they know it's a long way from home. At a time when they're under stress, to start with, because of their physical disability, to add on top of that the fact that they're away from their family and the strangeness of the environment. I'm not surprised that we get a lot of complaints about the rehabilitation centre. We do get complaints; despite the questionnaire that was done, we do get complaints about it.

There's no reason why you could not decentralize the rehabilitation centre. I know the argument the board presents, that you can't decentralize because of all the sophisticated equipment and expertise at Downsview. All I'm saying is to decentralize that aspect of it that it's possible to decentralize—not the sophisticated part, but most of the rehabilitation, which I suspect does not require all the sophisticated medical expertise and equipment but rather the basics of rehabilitation. I think that's something that should be done. I don't know what percentage—I'd be interested in knowing this as well—what percentage of your rehabilitation cases at Downsview are from northern Ontario. I suspect it's a fair amount.

[9:15]

The other thing I wanted to criticize the board for is over communications. I can re-

member sitting down in the members' lounge—and I am glad Bill Kerr is here today—about three years ago with Mr. Kerr, Mr. Martel, and I think Mr. Germa, though I'm not sure—we talked about communicating with the injured worker when there is a problem. To this day that doesn't happen. There are the best of intentions I am sure but when the workers phone us, it's invariably because they don't know what the hell's happening. Their benefits have been cut or they have been cut off. Usually it has been a decrease in the benefits or perhaps it's to do with rehabilitation. It could be any number of things. They don't know what's happening.

I talked to a man in Gogama, a small community north of Sudbury. This man has trouble coping with the written word at the best of times. He had a problem. He phoned the Workmen's Compensation Board, probably in Timmins, and asked them for an explanation of what they were doing. Do you know what they sent him? They sent him one of those little computer printouts that come off the machine. Can you imagine sending a man a computer printout? You would have to know the coding on it to make anything out of it. He showed it to me. As a matter of fact, I mailed it to your counselling specialist, Mr. Philipew and said: "Is this what you mean by communication?" or words to that effect. That's the kind of communication that is worse than none, I assure you.

Another thing is the whole administration problem. I am not picking on Mr. Kerr but I heard Mr. Kerr say the other day—and I must say it turned my whole mind, if not my entire metabolism, to glue when he said it, and I will try and be fairly accurate here—"By 1979, we will be in better shape to handle things." Am I right or am I wrong? I think that's what Mr. Kerr said and I thought to myself that's a bad joke; that's a sick joke. Because I was here in 1971 when it was always just around the corner.

One of the reasons they gave is that they have a big high turnover in claims people and that's why they have problems at the board. They said it takes a long time to train them but we will get them trained and then we will have a streamlined system.

Then do you know what it was? It was the move to the new offices.

Then do you know what it was? It was converting a horizontal system to a vertical system.

Then do you know what it was? There were not enough cafeterias in the new board offices and they had to put in new ones because people kept leaving their files in the

one cafeteria that was in the building. It was things like that. Every year we come here it is always around the corner. You always streamline it just around the corner. You committee members just cool it for a while, they said, and it will all fit into place.

I want to tell you we have been extremely patient. We may not sound like that to you when you sit here for three days having abuse heaped upon you, but we get abuse heaped upon us every day. You are getting it from us three days in a year. We get it from our constituents every bloody day. Mr. Martel is not exaggerating when he says five new cases a day. I get them too. We now have constituency offices and it has made a big difference in our lives, personally and politically. It lets us do a better job. But I find myself now not as almost insanely furious at the board as I used to be, because now a lot of that anger is directed towards my constituency person, my assistant in my constituency office.

You may not recall but there was a time a couple of years ago when I started giving out my personal credit card number and the tie-lines from Sudbury to Toronto to every Workmen's Compensation complainant who phoned me because I couldn't cope with it any more. That was the anger. That's breaking one of the unwritten rules that you don't give away your credit card number. But what do you do when your phone rings day after day after day on it?

That's what was happening and that's what's still happening. Only now I fear that we may not have the same sense of anger, the outrageous indignation that we would otherwise have if we were taking it all ourselves personally rather than having it dissipated through our constituency offices. I would go berserk if we had to go back to that other system again.

By far the largest number of problems that any member has, I suspect, particularly in an industrialized area, is with the Compensation Board. There are a lot of people on welfare in this province. A lot of people have automobile accidents, everybody pays income tax, all sorts of people get old age pensions, but the number of calls we get on all those other areas compared with the Workmen's Compensation Board is insignificant. I just don't know how long we should go on tolerating that kind of performance by the Workmen's Compensation Board.

I know the employer assessment is going up. It's just starting to go up. It is going to go up a lot higher before we see the end, I am afraid. I can't help but think that every time we patch up the system, we only pro-

long the problem, we only make the problem a little more acceptable for a little longer period of time. That's why I feel so very very strongly about the abolition of the Workmen's Compensation Board.

I am sure that the people at the front of the room have all sorts of expertise and would be very valuable to the setting up of a new system, so I am not worried about creating unemployment in the province of Ontario among some very highly qualified people, but I will tell you something, the insanity of the present system is such that society is going to have to move in that direction, and I happen to know that there's a fair number of people on your board who agree with that concept. They might not say it here, or they might put it the way Mr. Starr would put it, "Yes, I think that's eventually where we will move to." As a matter of fact I think you said that in your report, didn't you, when you did that study for the Workmen's Compensation Board?

In Saskatchewan, they have just done a report of the sickness and accident insurance committee, September, 1976—and I see some heads nodding—and they outlined the problems of the present system very nicely on page two and I would like to give those to you:

"Specific problems in existing coverage are outlined. While many persons have adequate coverage, many have little or none. Benefit levels vary greatly between programmes. The duration of benefits varies considerably. There are cases of overcompensation because of a lack of co-ordination between programmes.

"There is a multiplicity of administrations leading to inefficiency, duplication and claims handling inconsistency. Few programmes provide relief against inflation. The negligence action is a slow, costly and theoretically questionable device for seeking an award and there is no co-ordinated approach to the rehabilitation of the injured."

That's the present system. That's the present system we still live with. Mr. Haggerty listed some of the things we have now to cope with in society, accidents and illness, and I think it's not debatable who is responsible for the sick, for the injured. Society is responsible for the sick and the injured. We have come to that conclusion a long time ago. That's not something new. It's not something radical. And, lord, how we tried. It is not because of lack of programmes.

I just made a list of programmes. Some of them Mr. Haggerty has listed. We have tried Canada Pension, disability, UIC, sickness

benefits, compensation for victims of crime, The Veterans Act, the sick pay plans through employers, automobile insurance plans, early retirement benefits, life insurance, welfare, Workmen's Compensation Board, and the list goes on.

As they say in the report, only an affluent society can afford that kind of duplication, and then they go on—and I haven't got the quote here but they say only a callous society could allow people to suffer with that kind of affluence. The kind of affluence that gives you that kind of duplication has to be a very callous society to have people suffer within it.

I think that's really the key, that's the way we have to approach the whole question of compensation because it lacks justice and it lacks logic. You try and tell an injured worker there's any logic in the present system when he sees some people getting overcompensated and other people getting undercompensated.

It's not as though there wasn't another system. We know there's another system. It has been in place for a number of years. The Minister of Labour always tries to pretend that it is just getting off the ground in New Zealand, but that's been in place now for about three or four year and as a matter of fact they have even improved it I believe. They brought in automobile insurance. They started out without it and now they have brought in the automobile to it as an amendment. Australia also has done a study.

Interjection.

Mr. Laughren: Okay, but there was a change in government in Australia as well that had something to do with it.

What we are saying is that we abolish the Workmen's Compensation Board—not as a punitive act, because they bugged it up, pardon the unparliamentary language, but that we abolish it for purely logical and sociological reasons. It makes so much sense to abolish the board: You get rid of the adversary system. You get rid of the whole problem of workers fighting for that which is rightfully theirs. In its place you put a comprehensive social insurance scheme. You divide it into three areas, like chopping a pie up into three pieces; one is automobile, one is worker compensation and the other is sickness and accident. The automobile is paid for through the licences; the worker compensation is paid for by employers, as it is now, and the sickness and accident is paid for either through a premium or through tax revenues or consolidated revenue fund—it doesn't really matter which.

Surely we have reached a stage where it doesn't matter where the accident occurred, how it occurred or whose fault it was, there are three basic principles in any insurance programme: Prevention, income maintenance and rehabilitation. That is surely where it is really at.

I don't know how the Workmen's Compensation Board can cope with the kind of contradictions that are there now. How do you justify saying no to a worker who gets hurt just outside the plant gate? How do you justify that? He had to go to work to get there to do his job. How do you justify among yourselves the fact that if someone gets hurt on the job, that they are discriminated against? And I don't think you would deny that. Workers who get hurt on the job for any number of reasons are discriminated against. The Elliot Lake workers' principle was raised by my leader. When they are underground and they come up above ground, if they get a wage differential, their pension is subtracted from the wage differential.

One minute you are plugging away at the work ethic, and the next minute you are making it illogical. That simply does not make any sense at all. We have an obligation—not ideologically, not economically—to rationalize the system to our people. We are an advanced society, an affluent society, and it is crazy to have all this duplication. It makes no sense whatsoever.

Whether you are talking about the work ethic, about productivity, or just the well-being of society, you have to abolish the board. I really don't mean it in an angry sense. I just think that it is impossible to have a rational compensation system that puts the Workmen's Compensation Board here, and everything else outside it, and you damn well have to prove that it happened within the purview of the Workmen's Compensation Board; in other words, relate it to the job.

I don't care what you say. I was reading in one of the appendices to the board document, that there was no obligation on the part of workers to prove that something happened on the job, but you and I know that is the case. We could all wheel out individual cases where somebody got hurt on the job, didn't report it; when they finally did report it and realized it was an injury, a serious injury or at least potentially serious, how do we know it happened on the job? It is worse than that.

I have a beautiful example—and I refuse to give you the claim number, because the

board likes to get us here, to get claim numbers and to tell us everything is going to be all right. This is a case where a woman hurt her arm on the job. It was a Friday afternoon; she had finished her shift. She was in a lumber mill up north. She finished her shift and went home. Her arm bothered her all weekend, and on Monday morning when she woke up she could hardly move her arm. When she reported in, they said: "I'm sorry, there is nothing we can do." She wrote to the board, and I saw the letter that the board sent back. They said: "You told us that you got hurt in such and such a way on such and such a day, but we have checked with your employer"—and this is almost verbatim—"and he tells us that this did not occur on the job. Therefore, benefits are denied."

[9:30]

Whose word was the board taking? They could take the word of two different people, the employer or the employee. There were no witnesses. Whose word did they take? Obviously they took the word of the employer.

I think that to abolish the board and establish a comprehensive system is a proper function of government. It is not something that would be interfering with anybody's rights. The economies of scale dictate that it would be a much better system. The consistency in benefits that would ensue through a comprehensive scheme would in itself justify getting rid of the board as a separate entity and, finally, the justice that would be there would justify the system. Before I move on to a final specific problem, I would appreciate your comments on a comprehensive social insurance scheme.

Mr. Starr: I can see a great deal of problems there and probably the same type of criticism would emerge again. Under the system you are proposing, I doubt very much, whatever would be the benefit derived from it, whether they be injured at home or not, it may not be enough and people will still be critical. I don't think you would give what anybody wanted on a permanent injury. There would also have to be a scaling down. People would be dissatisfied and letters would be sent to MPPs protesting against the action of that group also.

I don't think you will eliminate the problems with which we are faced today. It might be a more encompassing system. When you are dealing with human beings and you set the rate of benefits, it is never enough. Your problems and your arguments will be

exactly the same as we have been dealing with for three days and will continue to hear.

Mr. Laughren: You are avoiding the whole of the question.

Mr. Starr: No, I am not. I say you are not going to eliminate them.

Mr. Laughren: I didn't talk about level of benefits. I talked about the inconsistencies and the contradictions in the system.

Mr. Starr: And you would probably have the same thing in those areas also.

Mr. Laughren: You could have a consistent level of benefits, regardless of how or where someone was injured, whether it was an automobile accident or on the job, or in the home. You could have a consistent level of benefits. That doesn't sound like the same Mr. Starr talking.

Mr. Starr: No, I agree with that but it doesn't mean that you are going to be alleviated from the complaints and the dissatisfactions of whatever system you put in. That is what the main reason is here. That is why MPPs get letters about these cases, because people are dissatisfied with the pension that has been granted to them.

Mrs. Campbell: Not always.

Mr. Starr: Don't you think under the same circumstances there would be a situation where a doctor may examine a person and say, yes, he is ready to return to work, and that person will disagree? Of course there would.

Mr. Laughren: I'll bet you not five per cent of the calls and the letters I get are about the level of benefits. They are about arbitrary decision-making and they are about having to prove that something happened on the job. They have to prove that the present injury is related to another one. Those are the kind of complaints we get.

Mr. Starr: Our rejection rate is only about seven per cent.

Mr. Laughren: You are talking about out-right rejection.

Mr. Starr: Exactly.

Mr. Laughren: That is not the issue at all.

Mr. Starr: Yes, but those are the rejections. If you say to the person it didn't occur here or on the job, then you are rejecting that claim. That is what I am talking about.

Mr. Laughren: Do you know why? It is because under your system you are answerable to the employers collectively in this province. That is to whom you are answerable, and not the employees. Am I right?

Mr. Starr: That's right.

Mr. Laughren: That is why in your opening statement—

Mr. Starr: But you are suggesting that compensation under that system will also be contributed to only by employers. Don't be silly. That is what you said.

Mr. Laughren: That is not what I said at all. I said that under a comprehensive system the employers are responsible for accidents to and illnesses of workers.

Mr. Starr: That is exactly what you said.

Mr. Laughren: Then you don't have a jurisdictional dispute. The worker gets his benefits, and inside they fight over which piece of the pie it comes out of, not out there with the worker on the spot in an adversary system before the Workmen's Compensation Board. I have been before the board often enough to know an adversary situation when I see one. It is ludicrous to tell me it is not.

Mr. Starr: Are you saying there should be one pot for all three segments?

Mr. Laughren: No, I said three pots.

Mr. Starr: That's right, three pots. One is a contributory pot and the others are not.

Mr. Laughren: They're all three contributory.

Mr. Starr: You're suggesting, then, that the employee should pay a portion of the cost?

Mr. Laughren: I'm saying the employees contribute to the cost of the automobile part—not the employees, the car drivers—that the accident and sickness benefits would come out of either premiums or consolidated revenue and the employers pay for the accidents and illnesses on the job. Right?

Mr. Starr: So we're back to where we started.

Mr. Laughren: It's not back to where we started.

Mr. Starr: As far as compensation for injuries is concerned, the employers will be the only ones who will pay for the cost of it. Isn't that what you're saying?

Mr. Laughren: Who do you think the employee is fighting now when he wants compensation? Who does the employee have to fight?

Mr. Starr: I don't know whether he has to fight anybody. If he is entitled to compensation, he gets compensation.

Mr. Laughren: He has to go—

Mr. Starr: You mean in every case someone has to fight to get compensation? That's ridiculous.

Mr. Laughren: You're drawing a red herring across the path. I'll tell you, under this new system—and it's not like it wasn't in existence sometimes, and I don't know why you're trying to throw up a smoke screen, because you know better. Under such a system as I am proposing the employers would pay just as they pay now, but the employee or the person, whether it happened at home, on the road, or on the job, would draw benefits immediately and then internally it would be decided which part of the pie it came from. That's all I'm saying.

I want to tell you something. In your opening statement you didn't talk about the problems of the employers in Ontario. That's why I say—

Mr. Starr: I talked about the problems of the Compensation Board.

Mr. Laughren: —that's to whom you're answerable. I don't mean that in a corrupt sense, but by definition you are answerable to the employers of the province of Ontario, and the only time you'll get real pressures is three days a year here, and I think you get off pretty lightly, Mr. Starr.

Mr. di Santo: Three days' fighting and nothing has changed.

Mr. Starr: No, no.

Mr. di Santo: And nothing changes at all.

Mr. Laughren: It's a perpetual lobby out there by the employers of this province and you know it. Do you know what's going to happen? Let me predict something. I'd like to predict something, Mr. Starr, and see if I'm right. In the years to come you're going to have the employers coming around to what I'm proposing now, but for the wrong reasons. They're going to come around to what I'm proposing now because they will see the costs of assessment to them rising as the industrial diseases skyrocket because of the petrochemical industry and so forth. When they see those costs rising—and it's

inevitable—they are going to start saying, "I think that should be a cost to society as a whole, because that's a measure of progress."

You watch. Mark my words. They will start using the argument that all society should pay for progress of the petrochemical industry. The petrochemical industry has given to society—

Mr. Starr: That's exactly what is happening now.

Mr. di Santo: Sure, and in five years we will know.

Mr. Laughren: That's right.

Mr. Starr: Don't think that the employers are absorbing the costs out of their profits. They're passing it on to the consumers.

Mr. Laughren: Fine, but it's not a direct charge against the individual employee.

Mr. Starr: I'm not saying it's direct or indirect, it's going to cost—

Mr. Laughren: I want to tell you something, when International Nickel has its assessment raised, who do you think ends up paying the biggest proportion of the increased assessments? The employee? The taxpayer in Ontario? Or the world purchasers of nickel? It's obvious. That's where they sell the product, on the world markets. That's just one example. All I'm saying—

Mr. Starr: That's one of the few examples.

Mr. Laughren: Not necessarily so. We live in a resource-based economy in Ontario. I would say to you that the employers of the province are slowly coming to the realization that compensation costs are going to be much higher than they are now, and I'm just saying to you that we must resist every attempt by the employers to pass on to society at large the increased costs of compensation.

Mr. Starr: We have a resolution now that's going to look into this whole situation.

Mr. Laughren: I don't need a resolution. Those costs should be—

Mr. Starr: However it's going to be done, that should be a—

Mr. Laughren: Where I agree with you, is that the costs of compensation are the costs of doing business. I agree with that. That's exactly what I say.

Mr. Starr: They're added into the costs.

Mr. Laughren: That's right, but there should not be any hedging. That should not be something that's negotiable. Whatever's compensable, that's just slapped on and it's a cost of doing business. I don't worry, like you do, that it's going to drive business out of Ontario. That's what you're implying.

Mr. Starr: I didn't say that.

Mr. Laughren: What were you trying to say? It's not an Ontario phenomenon, the increased compensation costs; it's a worldwide phenomenon. It's not just in Ontario. It's not just in Canada. And I don't see why you resist the whole concept of new industrial diseases, why you drag your heels on it so much. I don't understand that.

Mr. Starr: I don't resist new concepts of industrial diseases. Far from it.

Mr. Grande: Less cost to the employer; that's why.

Mr. Laughren: You certainly do.

Mr. Starr: I certainly do not.

Mr. Laughren: Oh, I see. How is it that we had such a battle fought over stomach cancer?

Mr. Starr: There was no battle fought. We were going through a process—

Interjection.

Mr. Chairman: Order, please.

Mr. Starr: —of trying to assess the connection between one and the other—that's all—until we were certain of our decision. Often-times—let me tell you this—when people say it's a crime that a person must wait so long, we could have rejected that claim at the beginning. But we don't want to do that. We want to be absolutely certain that if there is any possibility of granting that claim, we want to do it.

Mr. Laughren: Don't tell me about not rejecting claims—

Mr. Starr: And that's why it is done.

Mr. Laughren: You have rejected claims all along the way—

Mr. Starr: Those that don't come under—

Mr. Laughren: On stomach cancer, Mr. Starr, a year ago in these debates Dr. Stewart was talking about Dr. Ritchie. He said about Dr. Ritchie: "We feel that he has the greatest amount of experience now in dust and dust-related diseases in the country, and that is

his role with us." Six months later, what did the board do with Dr. Ritchie's report? Hold it up for further study. Six months later, suddenly he wasn't the one with the greatest amount of experience in the country. He was somebody whose report had been further examined. Don't tell me that that's not dragging your heels in industrial diseases.

Mr. Starr: It wasn't thrown out.

Mr. Laughren: You did your best.

Mr. Starr: We did our best to approve it.

Mr. Laughren: You did your best to hold it up and delay it as long as you could.

Mr. Starr: I did not. I think that's most unfair of you to say that I did my best to hold it up.

Mr. Laughren: How is it that one minute Dr. Ritchie is the best in the country and the next minute you have to hold up his report for study?

Mr. Starr: You want an explanation for the whole situation?

Mr. Laughren: Yes.

Mr. Starr: All right. Dr. McCracken will tell you exactly what happened.

Dr. McCracken: Mr. Chairman, I believe that the member is pretty well aware as to the statement that I made at the time of the press release, detailing what went on. All I can say at this time is that Dr. Ritchie, in my opinion, still is the most senior, most knowledgeable pathologist—and I say "pathologist"—in dust effects that I know of. But he himself admitted that he was not an epidemiologist. That was the difference right there: I had to seek out an epidemiologist to prove the point. I'm very happy that I was able to prove the point, because I proved it in such a way that I will be greatly surprised if any industry or if any other jurisdiction will ever challenge it, and copies are pretty well in wide distribution outside of Canada right now.

Mr. Laughren: I assume that his qualifications hadn't changed between December 8 and May or June.

Mr. Starr: It wasn't his qualifications—

Mr. Laughren: It was true of lung cancer as well. The board fought against recognizing lung cancer as a compensable disease with asbestos-related employment if there was not asbestosis as well. And you know that. For a long time the board said: "Unless there's

asbestosis present as well, we will not recognize lung cancer if there has been asbestos-related employment." Am I right or wrong? Yes, I'm right.

Mr. Starr: If we logically explained that, you'd probably jump on something else anyway; so go ahead.

Mr. Laughren: You can draw your own conclusions if you like. I think I'm being extremely fair and giving you the benefit of the doubt.

Mr. Chairman: Overly generous.

Mr. Laughren: Thank you. I would say that the one that is the final—and you may think that the member for Scarborough West was putting it to you a bit strongly yesterday—

Mr. Starr: No, not really.

[9:45]

Mr. Laughren: —but I want to tell you, that whole question of throat cancer just bothers me so much, and I know it bothers him a great deal too. I don't care what Dr. McCracken says about causal relationships. When you've got reports by Morgan, Stell and McGill, Newhouse and Berry, all of which give an indication that there's a relationship between throat cancer and asbestos, and you can talk until you're blue in the face about benefit of the doubt and you won't convince anybody, not just a partisan politician like me. You won't convince anybody.

Mr. Starr: You were a partisan politician, Floyd, ever since I've known you.

Mr. Laughren: Yes. Well, everything's relative, I guess, Mr. Starr.

Mr. Starr: Right.

Mr. Laughren: You have your own particular bent as well.

This is what I was looking for. It just happened to appear before me. I'll finish my remarks because I know the members are getting restless. This is from the Workmen's Compensation Board:

"The injured workman does not require a preponderance of evidence in support of his claim so long as reasonable inferences"—inferences!—"can be drawn in his favour. Every reasonable consideration is accorded to those disabled or bereaved by employment in Ontario."

I read that and I've got it attached to the Stell and McGill, and to Morgan, Newhouse

and Berry reports on throat cancer and asbestos. I read that statement from the board and I think you've got some strange kind of standard at the board that allows you to say that one day and reject a claim for throat cancer on the other. You know, deep down in your gut, you know that just as it happened with stomach cancer, just as it happened with lung cancer and asbestos, it's going to happen with throat cancer. You're going to have to compensate people who have throat cancer if they have been exposed to asbestos. It's inevitable.

I'll tell you something else. I worry more about this Minister of Labour giving in when it becomes obvious than any other Minister of Labour we've had. It's not a very nice thing to say, but I worry about that; and I would only hope that the officials within the board will persist, that when the evidence is there to their satisfaction—it's there to ours now—but when the evidence is there to their satisfaction, to their incredible standards, that they will have the strength to say, "Damn it, you must recognize this as a compensable industrial disease."

Mr. Starr: It will be a matter of board policy.

Mr. Laughren: Well, I know who sets board policy too.

Mr. B. Newman: Mr. Chairman, I wanted to bring to the attention of the chairman and the members of the board, some of the frustrations that one runs into as a member processing claims for constituents. For example, just the other day, I got a reply from the board stating that Mr. X's disability was rated at 8.8 per cent—with no explanation whatsoever as to why it was 8.8 per cent and not nine per cent or 15 per cent, or the fact that the maximum that he could have got was a 30 per cent permanent partial disability.

The fellow and myself, looking it over, are completely in the dark as to why the assessment was just as it was. I think anytime you're replying to a constituent, there should be a lot more detail, a lot more explanation in there. The follow-up letter came along and stated that his compensation—it happened to be a commuted one—was going to be X amount of dollars.

There was no indication at all to him that it was a commuted compensation; no indication to him as to how they based the total amount of money that he was going to receive; completely unfair to the individual.

The only way I found out was after several calls to the board, speaking with one of the

individuals and then him explaining it to me. May I say it was satisfactorily explained to me, but I shouldn't have to ask for that and neither should the injured workman; it should be, automatically, the responsibility of the board to provide him with the details as to why he first was compensated at 8.8 per cent, why it was—what is the term used when it is—

Mr. Starr: Commuted.

Mr. B. Newman: Commuted—and how they arrived at the 8.8 per cent, how they arrived at the total settlement.

Mr. Starr: I couldn't agree with you more.

Mr. B. Newman: Why this doesn't happen at the board, I just can't understand at all. It would save someone in the board a lot of work later on and it would save us a lot of frustrations. We would satisfy, or at least partially satisfy, the constituent for whom we are acting. That doesn't happen one time; it is too frequent.

Another thing I can say from personal experience is how in the hell do you get them to reply to you when you want them to reply? You may wait days for someone to reply to you. I don't accept that at all.

Mr. Starr: Is that by letter or telephone?

Mr. B. Newman: Telephone calls. I'd prefer to get the thing by telephone, as quickly as possible, but naturally the constituent has to have everything in writing because he wants to know just exactly how you people arrived at the decision at which you did arrive.

I'm not criticizing the decision at all. I'm only being critical of not providing sufficient information to the individual who is being compensated. That has to be corrected. I don't think the injured workman should have to accept the type of response he gets from your officials at the board.

Also, if I may, when the member acts on behalf of the constituent, all of the information that is provided to the constituent likewise should be provided to the member so that he knows just exactly how these figures are arrived at.

There are a lot of other items that I could raise but this is the one thing that really irritated me. I know others want to make comments concerning compensable cases, and I would prefer now to let others have a chance to make their comments.

Mr. Starr: Mr. Kerr has listened attentively to what you said and I don't think it will be

necessary for you to communicate any more. I will discuss this with Mr. Kerr and we will rectify the situation.

Mr. B. Newman: I wouldn't raise the issue at all, because I find that in my dealings generally, that though I may not agree at least I get a reply, or have at times got a reply within a decent period of time; but why can't you find files there time and time again?

Mr. Starr: Just a moment now. I complained as much as you do and as much as the members did six months ago, but there's a very good change. There's been a real improvement in the availability of files. I have to admit that; and that is on a continuous basis.

Mr. B. Newman: You should be able to answer us immediately, really. You computerize everything. Gosh, it's so simple to push buttons.

Mr. McCague: I have just a couple of short questions. When an award has been processed, how long does it take for a cheque to get through that computer system?

Mr. V. G. Sweeney: I would say, generally, 24 hours. If it goes into the computer system this afternoon, the cheque should be produced first thing tomorrow morning and out in the mail that day.

Mr. Haggerty: Is that wishful thinking?

Mr. McCague: That's a great system. I guess we'd have to check with the mail service, then, on that one.

Mr. V. G. Sweeney: It depends on when it was authorized. Once it has been keyed into the computer system today, it will definitely be out in the mail tomorrow unless we have a computer breakdown, and that doesn't occur too often.

Mr. McCague: Just for my information, how often do you have a computer breakdown; and when a cheque is ordered what does that mean, could there be a backlog of those that are ordered?

Mr. V. G. Sweeney: That would have to be answered by Mr. Kerr. As far as the computer is concerned, volume makes no difference.

As far as the frequency of breakdown is concerned, it's very minimal. Yesterday, for example, the air conditioning went off for three hours. We had to shut down operations. This type of situation does occur but that's not something that's frequent enough really to interrupt the flow of cheques. As far as

volume is concerned, it has nothing to do with it; the computer can take any volume that's put into it.

Mr. McCague. That doesn't really seem consistent, but I'm glad to hear that's the case.

Mr. V. G. Sweeney: I'm not sure what you mean by consistent.

Mr. McCague: Maybe your computer isn't as overloaded as some others in government, for instance. Whether it's your board or other government departments, you consistently say it's been sent to the computer.

Mr. V. G. Sweeney: All I can say is that once it is into the computer operation, it only takes 24 hours, at the most, to have a cheque out. Mr. Kerr insists upon this, this is board policy.

Mr. McCague: That's encouraging. I note three categories for farm owner coverages; can someone tell me what those three categories are?

Mr. Starr: Have you the rate books? Just a moment, we'll get the rate books.

Mr. A. G. MacDonald: Did you say that it had to do with farming?

Mr. McCague: Yes. It was mentioned last evening, I think, that there were three categories through which a farm owner could apply.

Mr. A. G. MacDonald: Farming as an industry is compulsorily under the Act, it is not by application. There are two categories, I could read all of the—

Mr. McCague: No, no.

Mr. A. G. MacDonald: The two rates that are applicable for 1976 are \$2.40 per \$100 payroll—

Mr. McCague: No, no; don't get me incorrectly. I understood, in answer to one of the other members last evening, that it was said there were three categories under which a farmer-owner could apply to be covered. I understand it's mandatory that employees be covered and that the farmer himself can be covered by application.

Mr. A. G. MacDonald: As an independent operator, yes.

Mr. McCague: That's right. I think in answer to Mr. Gaunt it was said there were three categories under which that farmer-owner-operator could apply.

Mr. A. G. MacDonald: There are only the two categories. If he has employees, he may at the same time get personal coverage for himself, which is the same as the coverage he would get as an independent operator if he had no employees. It's an application situation; he selects a rate of coverage within the range of minimum and maximum under the Act.

Mr. McCague: Can he cover his wife and family?

Mr. A. G. MacDonald: He can cover his wife and family as well.

Mr. McCague: Do they become employees or is that—

Mr. A. G. MacDonald: In some cases, if a wife is placed on the payroll as an employee and is paid a stated wage; and the same if it's a member of the family, if they are placed on the payroll and controlled and supervised in the same way as a workman would be; then they could be covered as workmen.

On the other hand, if they are more of a partner, sharing in the proceeds of the business without there being any formal pay arrangement, then they could be covered by application under independent operator coverage.

Mr. McCague: The Attorney General's (Mr. McMurtry) bill will change all that then, husband and wife share completely in everything.

Mr. A. G. MacDonald: When we assume they are partners that's the assumption we are making.

Mr. McCague: I mentioned, in questioning a couple of days ago, that my problems with people seem to be that they did not want to take rehabilitation. Can anybody tell me what percentage of those recommended for rehabilitation do not take it?

Mr. A. G. MacDonald: Recommended by whom?

Mr. McCague: I think by the Workmen's Compensation Board.

Mr. A. G. MacDonald: Are you talking about rehabilitation at our centre?

Mr. McCague: Some kind of training or rehabilitation.

Mr. A. G. MacDonald: Dr. McCracken, do you wish to deal with that? As I understand it, you are assuming that an individual at the board has suggested to the individual that he should be rehabilitated by some process.

[10:00]

Mr. McCague: Where I run into it is constituents say they are not receiving enough from the Workmen's Compensation Board for the injury, and what I take from it is that the Workmen's Compensation Board has suggested that they take rehabilitation of some sort, whether it be further job training or whether it be further medical treatment or therapy, and they have refused to take it—some because of what they claim are the poor conditions at Downsview. That's not the first time we've heard that one, Dr. McCracken.

Dr. McCracken: No.

Mr. McCague: Some refuse because they just don't want to do it. Can you give me any percentage of people who fall into that category?

Dr. McCracken: No, I can't give you any percentage off the top of my head as to the number of people who refuse to come to Downsview. Is this the per cent figure you're after? Or the overall number of people who refuse when a recommendation is made from the vocational rehabilitation counsellor that they take upgrading and training, or that they take some other type of training to improve their opportunities of getting into a better paying position, plus the actual physical rehabilitation? I don't have any off-the-top-of-my-head figures as to the number who refuse. All I can tell you is that I would hazard that it's quite a low percentage, really.

Mr. McCague: It's low, but you do acknowledge that there are those people who absolutely refuse to take this?

Dr. McCracken: Yes.

Mr. McCague: Thank you.

Mr. Lane: Mr. Chairman, it's 10 o'clock and we don't have a quorum.

Mr. Chairman: I think we've operated without a quorum before. I understand Mr. di Santo wants to make a few remarks.

Mr. di Santo: Yes, it's getting pretty late—

Mrs. Campbell: Is there to be any kind of a limitation, in view of the fact that we really have operated in this committee in a most unfair fashion, Mr. Chairman. I recognize your problems, but as you are aware, from day one, when the Liberals were lined up there, we were not—

Mr. Chairman: Did you wish to speak?

Mrs. Campbell: Yes, I did.

Mr. Chairman: Mrs. Campbell, you're on next.

Mrs. Campbell: Thank you.

Mr. Chairman: I'm sorry, I didn't realize you wanted to speak.

Mr. di Santo: Thank you, Mr. Chairman, I can be very—

Mr. Chairman: No, Mrs. Campbell will be speaking, because the Liberals are now behind something like 300 minutes, which in my estimation is five hours.

Mr. di Santo: Mr. Chairman, if I may—

Mr. Chairman: Mrs. Campbell has the floor.

Mr. di Santo: On a point of order, Mr. Chairman. I am glad that Mrs. Campbell will speak, but I think that she didn't indicate her wish until I was starting to speak.

Mrs. Campbell: No, Mr. Chairman, I indicated before when I asked about it and—

Mr. Chairman: I will hear you, Mrs. Campbell, because you indicated earlier. It's my fault.

Mrs. Campbell: Mr. Chairman, I did speak before, and I possibly would not have spoken again if I had not heard the interchange between the minister and some of the members as the discussion proceeded on the benefit of doubt. I think if the Workmen's Compensation Board had itself undertaken, or even asked for the provision of funds to undertake research, there might have been some justification for waiting for a period.

When we hear that a doctor with the board telephones New York to find out how a study is coming along, it seems to me that it's a pretty casual way to deal with this matter of people who have been waiting, in some cases for years, for a resolution of their problems. I just don't find it at all acceptable.

I was also concerned when the minister stated that part of our reason for being so concerned to get the facts was because we were leading all other jurisdictions in this field and they were looking to us. I don't feel any real obligation or responsibility to other people in the field, be it in another province or another country. I think we should be doing our own thing quite apart from what effect it will have on somebody else.

As I explained before, I was deeply concerned with the opening remarks of the chairman and there is no way I can accept that there is in fact a benefit of a doubt in favour

of the injured workmen. The benefit of the doubt is perhaps operating where you really have tied down the evidence and then perhaps you look at some of the problems which develop out of it. That may be the way in which benefit of the doubt occurs but it certainly doesn't occur, in any sense, in the way I understand the operation at law of the benefit-of-the-doubt principle.

I would have hoped—and I mentioned it, I think, not long ago—that perhaps we could approach compensation rather through the *res ipsa loquitur* rule, which is very much more flexible and which simply says the thing occurred, therefore. . . . Granted it is related to negligence, but nevertheless it does say the thing speaks for itself. That is the kind of approach I have been trying to see coming out of these discussions. I am disturbed that there is such a resistance, when you are being invited by a group of, I believe, very responsible citizens, to look at our concern and our very real frustrations with this board.

It really isn't good enough for people to sit in ivory towers and to decide that when somebody somewhere in the world comes up with a report which, beyond a shadow of a doubt, gives indication that this should be a compensable injury, disease or whatever, then we will deal with it. But the people are aging while we wait.

I had a man come to see me; he came in with me to this room because he very much wanted the opportunity to speak to you. I think there ought to be an opportunity for people who want to address this committee to address the committee, so that their stories may be heard, if this is what they wish.

I guess I am in that odd exceptional group again: Most of the people I get don't get the opportunity for rehabilitation. In this case the man advises me—and all my records on the case go back some time, and I understand Mr. Grande is now dealing with it, and others have dealt with it—the inference is that he cannot be helped by the rehabilitation process; that is the vocational rehabilitation process. Certainly he has been, I think, experimented upon over a course of time to such a degree that I would suggest once more perhaps that in his case you look at the psychological effects of what you have done to this man over the course of the time that he has been in contact with—I would almost say the victim of—an experience with this board.

I have said it ever since I have been in this House: I have never really seen what your effective process is in rehabilitation; because again, I sent cases down, I was told specifical-

ly to send them because I quarrelled with you. Each time the answer came back: "You've caught us again. This is one of those cases we really can't do anything about." So I gave up. I wonder just how many people—what is your success rate on vocational rehabilitation? Have we anything at all statistically—

Mr. Starr: Would you like it now?

Mrs. Campbell: Yes, I would like it now.

Mr. Starr: Dr. McCracken is searching for it right now. He'll have it out in a minute. He can give the statistics on rehabilitation.

Dr. McCracken: The figures so far this year—

Mr. Starr: Have you got them for 1975?

Dr. McCracken: Yes.

Mr. Starr: Complete? I think you could give the figures for the full year, and then you can give the 1976 ones.

Dr. McCracken: These are the accumulative totals for 1975. The total of new referrals was 16,731 cases, out of which the service was completed in 12,468 cases. That left a carryover into the following year of approximately 5,000 cases not rehabilitated. The ones where they have said we can't do anything further—the person is not rehabilitable for any number of reasons—total 182.

Mr. Starr: That's 182 out of 16,731?

Dr. McCracken: Yes.

Mrs. Campbell: All right. Could I get a definition of what you mean by success? Does this mean that people have been through the system, that they have gained some further knowledge and are back in the work force?

Dr. McCracken: Not necessarily that they have gained some further knowledge but, yes, they are back in the work force.

Mrs. Campbell: Well, further skills or further whatever.

Dr. McCracken: Not even necessarily further skills, because the majority are not put on upgrading courses or sent to community colleges, as you can appreciate. The majority are fitted into the type of work which they are capable of doing if they have an ongoing permanent disability.

Mrs. Campbell: Give me a "for instance."

Dr. McCracken: A "for instance" in what? Of being placed back into the work force?

Mrs. Campbell: Yes. What was done? What kind of vocational rehabilitation took place? What was the person before and what was that person afterwards?

Dr. McCracken: I suppose a good example of that would be a person who had to make considerable use of, say, his legs; he had to do a lot of walking up and down stairs, climbing ladders and things like that. Let's say something happened to his knee. As a result of this, let us say that the worst situation is that he is left with a residual permanent effect. The majority of these cases are not permanent disabilities; they are transient and they go ahead and improve up to the point of being returned to normalcy. But let's take the one that isn't. The rehabilitation mechanism is to fit that person into the type of a job where he does not have to walk up and down considerable stairs, if any, in fact, except possibly to get to work and get out of the work place. He doesn't have to climb ladders. He is given a job at bench level, operating a machine or working on an assembly line where it is not required that he has to crawl around and bend a knee which is stiff. This is an example.

Mrs. Campbell: I see. At least we have made this progress—I remember giving the example, I guess three years ago—that at least we know that we have progressed to the stage where a man with two fused heels on crutches is not sent to a quarry to work. That wouldn't happen again?

Dr. McCracken: A man who has two fused heels and is using crutches?

Mrs. Campbell: That's right. And was sent to a quarry to co-operate with the Workmen's Compensation Board.

Dr. McCracken: Not that I am aware of, no; it has not happened.

Mrs. Campbell: That did happen! It won't happen again.

Dr. McCracken: So far as I am concerned, no.

[10:15]

Mrs. Campbell: I am relieved. We have really made progress in this field, I suppose.

Could you tell me what rehabilitation is available if, as and when you grant compensation to a registered nurse? What do you do for her by way of vocational rehabilitation since she is no longer able to practise her profession? I recognize it's very hard for her even to get compensation, but on the rare occasion she does, what do you do for her?

Dr. McCracken: I would presume that part of the rehabilitation programme for a nurse who can no longer do general duty, that is lifting patients and this type of strenuous activity, would be to fit her into a position on the ward or in the ward office doing chart work, which is a pretty light type of activity; or the other aspect would be the nursing office if she has the qualifications. If not, we then consider upgrading her so that she would be able to enter into the teaching programme.

The other aspect that one would consider, I suppose, would be the placement of this nurse in an appropriate doctor's office, where she doesn't have to lift patients, and where she doesn't have to lean over and make beds and so on.

Mrs. Campbell: Could you tell me how many you have? How many registered nurses are there on compensation at the moment and how many of them have you been able to put back into the hospital stream successfully?

Dr. McCracken: I don't have that information.

Mr. Starr: That would take a great deal of research.

Mrs. Campbell: Why?

Mr. Starr: We don't categorize people.

Mrs. Campbell: Oh yes you do, you do it every day. Surely that's something you could get.

Mr. Starr: If you want us to, we'll get it for you if we can.

Mrs. Campbell: I'd like to have it.

Mr. Starr: Mr. Kerr says it's impossible.

Mrs. Campbell: The average nurse will tell you that if she has that kind of disability there is no way, in today's hospital environment, they would take her back under any circumstances. There aren't light duties for registered nurses, certainly not in Toronto hospitals. I have nine of them in my riding, so I know something about the hospitals in my riding.

Dr. McCracken: I merely point out to you what I would visualize. Mr. V. G. Sweeney also mentions nurses employed as statistical coders, because this is an enlarging field. We employ them ourselves; and they'll be employed by HMRI, if they don't have them already. Possibly OHIP is going to start employing RN statistical coders. These are—

Mrs. Campbell: But you will never be able to give the figures on how many of these nurses there are on compensation, even with a computer?

Mr. V. G. Sweeney: Only if it's coded, and occupations are not coded.

Mrs. Campbell: I think that then leaves me in the position where I very much question how many of them, although applicants, ever get processed successfully. It's too bad we can't get that information.

Mr. Kerr: May I answer that? In the adjudication of claims the occupation is shown on the form as it comes in, but we have not in the past had a need to put that into statistical records in the course of processing the claim. Perhaps it's of interest to know the occupation when we're adjudicating the claim and for rehabilitation purposes, but to my knowledge we've never had a need in the past to code into every individual claim record the occupation of the injured person.

Mrs. Campbell: I think my problem is that I'm busy trying to get these poor souls who can no longer practise their profession into the GAINS programme. This is one of the things that makes me concerned about the suggestion of the member for Nickel Belt. While I have been very critical, I do see, from some of the problems when you get into the GAINS programme and get the kinds of decision-making there as to whether a person is permanently unemployable by reason of a disability or personally disabled or permanently disabled, that you get the same sort of problems you get with compensation. To that extent I do understand what Mr. Starr says, and of course we have to work to establish a better system on that.

I wonder if the board might like to do a project involving looking at some of the problems in, for example the juvenile courts, to see some of the effects. I have no statistics on it but it would be something you might like to look at; the effects on children, particularly children who have come here fairly recently, who belong to a kind of culture which places father in a very dominant role in the family, and suddenly, by reason of an injury, he loses that role. And he loses more than just the role of the worker, he loses his role as the, enforceable if you like, head of the family; and we see the children getting out of hand and father frustrated and upset.

I wonder if you mightn't like to look at that to add to some of your statistics, to see whether there's merit in what those of us who plead for humanity are saying.

It is at least a place to look; particularly in a city like this, because I'm telling you that an injured workman is defeated in so many ways. He really is; he's defeated in so many ways and perhaps there could be something like that undertaken.

Just to look! It may not be valid, although I know there are instances. They may not be enough to make it significant, but I'd like somebody to look at it; perhaps you would be the people to do it.

Mr. Starr: Mrs. Campbell, I'm glad you pointed that out because I'm very much aware of it. I know; I was citizenship court judge in the city of Toronto for four years. I saw these cases and I know what it means.

I used to have courts at St. Mary's of the Angels Church at nights. I held them at night simply because people didn't want to take time out from work. I was willing to go there and hold examinations, swear them in; all over the city, wherever they wanted me to do this.

I've talked to this. When I mentioned, yesterday I think is was, the eleventh and twelfth week of training for the claims adjudicators, this is exactly what I point out to them; that that's a human being, the head of a family with four or five children for whom he had great appreciation, for whom he had great plans; to educate them, to get for them the comforts of life in their home and to provide decent clothing for them and their education; and all of a sudden, because of the accident, the whole world shatters around him. Those are the things I try to embed in the minds of our claims adjudicators, and I do this with each and every group which comes up.

Mrs. Campbell: I think, with respect, it goes a little beyond the fact that they lose the aspirations and the dreams. They do, sometimes, also lose the respect of the children in the home; there is a different attitude, in some cases, to the father. If you can look at that I might have accomplished something in three years of frustration.

Mr. Starr: Mrs. Campbell, in those three years we were engaged in putting into practice the recommendations of the task force; complete reorganization, new systems, everything. This has taken up our time. We're entering into a new phase of trying to do other things that will be of benefit to the injured worker.

Mrs. Campbell: I think, in closing Mr. Chairman, I have to say that I do agree with Mr. Laughren, that in three years I think we should have been beginning to see the kinds

of improvement which I, frankly, have not seen.

Mr. Starr: Mrs. Campbell, if you could spare the time from the busy life I know you have, to come down and spend a day, to go through, to let someone of expert mind show you how the thing is processed, what is being done there, I guarantee you'd have a different concept. As Mr. Reid told me when he came down, after 3½ hours, which I thought was the greatest compliment the Workmen's Compensation Board could have had, he said, "Michael, I've been in other government agencies and yours is the only government agency where everybody seems to be doing something."

Mrs. Campbell: I would just like to put on the record one other thing, and that is, I did hear the Leader of the Opposition (Mr. Lewis) make remarks about the former chairman. I was not here at the time that there was a great kerfuffle about the former chairman. I want you to know, Mr. Chairman, and I want to be on record that I worked with that man, not as a lawyer, certainly not in the militia, but in an agency known as The Good Neighbours, one of the agencies that has practically no sympathy from anybody, because you're dealing with the really tough skid row characters. I know the compassion of that man and his dedication to the injured workmen and to those people, and I can't sit idly by and have this continuing criticism of that man without speaking up and at least telling you something of the other side of that coin. Thank you, Mr. Chairman.

Mr. di Santo: I think I've got four minutes, unless we wait until we are called to vote in the House.

Mr. Chairman: I think we'll have to close at 10:30. There's no one here but you and I and the board—

Mrs. Campbell: I am here; I am going to wait.

Mr. Chairman: Sorry, Mrs. Campbell.

Mr. di Santo: Mr. Chairman, I think that in three minutes I cannot make any comment at all; but just to summarize, I've been at most of the hearings during the three days and I don't know how much it will change, how much you will be receptive of the criticism, which is not an unfounded criticism. It comes out of the frustration of the members who are dealing every day with cases and, in my particular case, with hundreds of cases of injured workers who feel the frustration of the system. You may justify your sys-

tem, you may think that it's working and you may think that by 1979 most of the problems will be solved, but I can tell you that right now there are people who are suffering because of your system. When I say you, I don't mean you personally, but the way the system is structured.

We heard that cases are processed and within 10 days you make a decision on the uncomplicated cases, or within 20 days you make decisions on the uncomplicated cases. I can bring you hundreds of cases. I have cases where people have been injured in October and today they have no decision, and when I phone in they tell me it will take one month to send out an investigator. I have cases where workers have appealed and for months they don't hear anything. We have people here who were injured in 1961 and recognized 19 per cent disability 1963, and finally November, 1975, he is recognized 90 per cent disabled; and this is Mr. Harold James who is here in this room.

[10:30]

We have cases of workers who have been under what you call "active treatment" and receive no compensation for months. I have a case of a worker, one of my constituents, Giovanni Baccante, who has not received any money since May. He's going through all the nightmare of the consultants and hospitals, and today there is no decision. I don't know how you can justify this. I know that if I give you the examples you will tell me that there is a justification. I have the number of people who are referred to psychiatrists and it is a very high number—in 1975 it was 1,332 people. I really question if those people had psychiatric complications as a result of the accident or as a result of the system or as a result of the pressure that the system puts on them.

I don't want to re-emphasize what Mrs. Campbell said but that is a most serious problem. I haven't got time, unfortunately, but I am in a position that whenever I deal with the Workmen's Compensation Board I feel frustrated. I can give you examples—as I said before, there is no time—of people who have been on full compensation and all at once full compensation is stopped. Then after six months they are restored by a decision of the board without any variation in their clinical situation.

I think you have to look at those problems, because there are people who are sad and who are frustrated. You are raising the anger of people out there and I don't think we can go ahead this way. I can tell you, and this is not personal, Dr. Tovell makes his decision

on the basis of his knowledge, contrary to the opinions of specialists, surgeons, orthopaedic doctors. Then you have people with partial disability, and you are telling us that people are rehabilitated, brought back to the labour market. In almost all the cases, the people who are hired cannot go back to the labour market. I can give you a list of all the cases and I wish you would explain to me at some point why that happens.

I have a case of a worker who has not been recognized as disabled because he had no physical disability. He had what they call an overlay—and I wonder what that means. For three years this poor young guy, born in 1942, has been out of compensation on welfare. Today he is at the Toronto General Hospital for major surgery on his back. I will be back with that case in front of the Workmen's Compensation Board. But I want to tell you that that is not our job. What you are doing is forcing us into a position where we have to be in a constant confrontation with the board and we don't want that. Neither do the workers want that.

Mr. Starr: Mr. di Santo, may I just interrupt for a moment? I was a member of Parliament in the federal government for 16 years. During the period of time when I was Minister of Labour, people from all over Canada wrote to me about various problems, and particularly unemployment insurance problems. I had 8,000 open files at any given time. I had 192 immigration cases at any given time from all over Canada. I didn't complain. I felt the people had turned to me because they didn't get the service they wanted to get and I interceded on their behalf. That's the job of an MPP or an MP.

Mr. di Santo: Mr. Chairman, through you, could you then explain to us—

Mr. Chairman: We have gone beyond 10:30.

Mr. di Santo: This is my final remark, Mr. Chairman. What I am telling you is that we deal with all kinds of agencies—unemployment insurance—

Mr. Starr: So did I.

Mr. di Santo: —welfare, family benefits, and we do that because it is our duty. But when we come to the Workmen's Compensation Board, when you have a case you never help, and that is not our fault.

Mr. Starr: I was never successful in all my cases, and I had compensation cases even though I was a federal member. I was never successful with them all.

Mr. di Santo: The problem is not of our personal ability to be successful or not. The problem is that the system doesn't work and you know that.

Mr. Starr: And that is why you have the problem of people coming to you, because it doesn't come under the board.

Mr. Chairman: It is now past 10:30 p.m.

This concludes the hearings on the Workmen's Compensation Board.

Before we conclude, as chairman of the committee, I want to thank the committee members for their attendance. I want to thank you, Mr. Starr, and the members of the Workmen's Compensation Board and the staff for their attendance at the hearings.

Mr. Starr: On behalf of my colleagues from the Workmen's Compensation Board, I want to thank you, Mr. Chairman, and the members of the committee. I hope we can get together and bring about a better deal for the workers at all times.

Mr. di Santo: I will come and see you.

The committee adjourned at 10:36 p.m.

APPENDIX E

ALPHABETICAL LIST OF MEMBERS OF THE
LEGISLATURE OF ONTARIO

(125 members)

Third Session of the 30th Parliament

Speaker: Hon. Russell Daniel Rowe

Clerk of the House: Roderick Lewis, QC

Member	Constituency	Party
Angus, I.	Fort William	NDP
Auld, Hon. J.A.C.	Leeds	PC
Bain, R.	Timiskaming	NDP
Belanger, J. A.	Prescott and Russell	PC
Bennett, Hon. C.	Ottawa South	PC
Bernier, Hon. L.	Kenora	PC
Birch, Hon. M.	Scarborough East	PC
Bounsall, E. J.	Windsor-Sandwich	NDP
Breaugh, M.	Oshawa	NDP
Breithaupt, J. R.	Kitchener	L
Brunelle, Hon. R.	Cochrane North	PC
Bullbrook, J. E.	Sarnia	L
Burr, F. A.	Windsor-Riverside	NDP
Bryden, M.	Beaches-Woodbine	NDP
Campbell, M.	St. George	L
Cassidy, M.	Ottawa Centre	NDP
Conway, S.	Renfrew North	L
Cunningham, E.	Wentworth North	L
Davidson, M.	Cambridge	NDP
Davis, Hon. W. G.	Brampton	PC
Davison, M.	Hamilton Centre	NDP
Deans, I.	Wentworth	NDP
di Santo, O.	Downsview	NDP
Drea, F.	Scarborough Centre	PC
Dukszta, J.	Parkdale	NDP
Eakins, J.	Victoria-Haliburton	L
Eaton, R. G.	Middlesex	PC
Edighoffer, H.	Perth	L
Evans, D. A.	Simcoe Centre	PC
Ferrier, W.	Cochrane South	NDP
Ferris, J. P.	London South	L
Foulds, J. F.	Port Arthur	NDP
Gaunt, M.	Huron-Bruce	L
Germa, M. C.	Sudbury	NDP
Gigantes, E.	Carleton East	NDP
Givens, P. G.	Armourdale	L
Godfrey, C.	Durham West	NDP
Good, E.R.	Waterloo North	L
Grande, A.	Oakwood	NDP
Gregory, M. E. C.	Mississauga East	PC
Grossman, L.	St. Andrew-St. Patrick	PC
Haggerty, R.	Erie	L
Hall, R.	Lincoln	L
Handleman, Hon. S. B.	Carleton	PC

Member	Constituency	Party
Henderson, Hon. L. C	Lambton	PC
Hodgson, W.	York North	PC
Irvine, Hon. D. R.	Carleton-Grenville	PC
Johnson, J.	Wellington-Dufferin-Peel	PC
Johnston, R. M.	St. Catharines	PC
Jones, T.	Mississauga North	PC
Kennedy, R. D.	Mississauga South	PC
Kerr, Hon. G. A.	Burlington South	PC
Kerrio, V.	Niagara Falls	L
Lane, J.	Algoma-Manitoulin	PC
Laughren, F.	Nickel Belt	NDP
Lawlor, P. D.	Lakeshore	NDP
Leluk, N.G.	York West	PC
Lewis, S.	Scarborough West	NDP
Lupusella, A.	Dovercourt	NDP
MacBeth, Hon. J. P.	Humber	PC
MacDonald, D. C.	York South	NDP
Mackenzie, R.	Hamilton East	NDP
Maeck, L.	Parry Sound	PC
Makarchuk, M.	Brantford	NDP
Mancini, R.	Essex South	L
Martel, E. W.	Sudbury East	NDP
McCague, G.	Dufferin-Simcoe	PC
McClellan, R.	Bellwoods	NDP
McEwen, J. E.	Frontenac-Addington	L
McKeough, Hon. W. D.	Chatham-Kent	PC
McKessock, R.	Grey	L
McMurtry, Hon. R.	Eglinton	PC
McNeil, R. K.	Elgin	PC
Meen, Hon. A. K.	York East	PC
Miller, Hon. F. S.	Muskoka	PC
Miller, G. I.	Haldimand-Norfolk	L
Moffatt, D.	Durham East	NDP
Morrow, D. H.	Ottawa West	PC
Newman, B.	Windsor-Walkerville	L
Newman, Hon. W.	Durham-York	PC
Nixon, R. F.	Brant-Oxford-Norfolk	L
Norton, K.	Kingston and the Islands	PC
O'Neil, H.	Quinte	L
Parrott, Hon. H. C.	Oxford	PC
Peterson, D.	London Centre	L
Philip, E.	Etobicoke	NDP
Reed, J.	Halton-Burlington	L
Reid, T. P.	Rainy River	L
Renwick, J. A.	Riverdale	NDP
Rhodes, Hon. J. R.	Sault Ste. Marie	PC
Riddell, J.	Huron-Middlesex	L
Rollins, C. T.	Hastings-Peterborough	PC
Rowe, Hon. R. D.	Northumberland	PC
Roy, A. J.	Ottawa East	L
Ruston, R. F.	Essex North	L
Samis, G.	Cornwall	NDP
Sandeman, G.	Peterborough	NDP

Member	Constituency	Party
Sargent, E.	Grey-Bruce	L
Scrivener, Hon. M.	St. David	PC
Shore, M.	London North	PC
Singer, V. M.	Wilson Heights	L
Smith, G. E.	Simcoe East	PC
Smith, Hon. J. R.	Hamilton Mountain	PC
Smith, R. S.	Nipissing	L
Smith, S.	Hamilton West	L
Snow, Hon. J. W.	Oakville	PC
Spence, J. P.	Kent-Elgin	L
Stephenson, Hon. B.	York Mills	PC
Stokes, J. E.	Lake Nipigon	NDP
Stong, A.	York Centre	L
Swart, M.	Welland-Thorold	NDP
Sweeney, J.	Kitchener-Wilmot	L
Taylor, Hon. J. A.	Prince Edward-Lennox	PC
Timbrell, Hon. D. R.	Don Mills	PC
Villeneuve, O. F.	Stormont-Dundas-Glengarry	PC
Warner, D.	Scarborough-Ellesmere	NDP
Welch, Hon. R.	Brock	PC
Wells, Hon. T. L.	Scarborough North	PC
Wildman, B.	Algoma	NDP
Williams, J.	Oriole	PC
Wiseman, D. J.	Lanark	PC
Worton, H.	Wellington South	L
Yakabuski, P. J.	Renfrew South	PC
Young, F.	Yorkview	NDP
Ziemba, E.	High Park-Swansea	NDP

MEMBERS OF THE EXECUTIVE COUNCIL

Hon. W. G. Davis	Premier
Hon. R. Welch	Minister of Culture and Recreation
Hon. J. A. C. Auld	Chairman, Management Board of Cabinet
Hon. R. Brunelle	Minister without Portfolio and Chairman of Cabinet
Hon. T. L. Wells	Minister of Education
Hon. G. A. Kerr	Minister of the Environment
Hon. L. Bernier	Minister of Natural Resources
Hon. J. W. Snow	Minister of Transportation and Communications
Hon. M. Birch	Provincial Secretary for Social Development
Hon. C. Bennett	Minister of Industry and Tourism
Hon. W. D. McKeough	Treasurer, Minister of Economics and Intergovernmental Affairs
Hon. A. K. Meen	Minister of Revenue
Hon. W. Newman	Minister of Agriculture and Food
Hon. S. B. Handleman	Minister of Consumer and Commercial Relations
Hon. F. S. Miller	Minister of Health
Hon. J. R. Rhodes	Minister of Housing
Hon. D. R. Irvine	Provincial Secretary for Resources Development
Hon. D. R. Timbrell	Minister of Energy
Hon. J. P. MacBeth	Provincial Secretary for Justice and Solicitor General
Hon. J. R. Smith	Minister of Correctional Services
Hon. M. Scrivener	Minister of Government Services
Hon. H. C. Parrott	Minister of Colleges and Universities
Hon. J. A. Taylor	Minister of Community and Social Services
Hon. B. Stephenson	Minister of Labour
Hon. R. McMurtry	Attorney General
Hon. L. C. Henderson	Minister without Portfolio

PARLIAMENTARY ASSISTANTS

Mr. F. Drea	Assistant to the Minister of Consumer and Commercial Relations
Mr. R. G. Eaton	Assistant to the Minister of Agriculture and Food
Mr. L. Grossman	Assistant to the Attorney General
Mr. W. Hodgson	Assistant to the Minister of Housing
Mr. T. Jones	Assistant to the Provincial Secretary for Social Development
Mr. R. D. Kennedy	Assistant to the Minister of Education
Mr. J. Lane	Assistant to the Minister of Transportation and Communications
Mr. N. G. Leluk	Assistant to the Minister of Culture and Recreation
Mr. K. Norton	Assistant to the Treasurer and Minister of Economics and Intergovernmental Affairs
Mr. D. J. Wiseman	Assistant to the Minister of Health
Mr. P. J. Yakabuski	Assistant to the Minister of Natural Resources

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Bain, R. (Timiskaming NDP)
Bennett, Hon. C.; Minister of Industry and Tourism (Ottawa South PC)
Birch, Hon. M.; Provincial Secretary for Social Development (Scarborough East PC)
Bounsall, E. J. (Windsor-Sandwich NDP)
Breithaupt, J. R. (Kitchener L)
Bryden, M. (Beaches-Woodbine NDP)
Pullbrook, J. E. (Sarnia L)
Campbell, M. (St. George L)
Cassidy, M. (Ottawa Centre NDP)
Conway, S. (Renfrew North L)
Cunningham, E. (Wentworth North L)
Davidson, M. (Cambridge NDP)
Davis, Hon. W. G.; Premier (Brampton PC)
Deans, I. (Wentworth NDP)
di Santo, O. (Downsview NDP)
Drea, F. (Scarborough Centre PC)
Eakins, J. (Victoria-Haliburton L)
Eaton, R. G. (Middlesex PC)
Edighoffer, H.; Acting Chairman (House) (Perth L)
Evans, D. A. (Simcoe Centre PC)
Foulds, J. F. (Port Arthur NDP)
Gaunt, M. (Huron-Bruce L)
Germa, M. C. (Sudbury NDP)
Godfrey, C. (Durham West NDP)
Good, E. R. (Waterloo North L)
Grande, A. (Oakwood NDP)
Gregory, M. E. C. (Mississauga East PC)
Grossman, L. (St. Andrew-St. Patrick PC)
Haggerty, R. (Erie L)
Hall, R. (Lincoln L)
Handleman, Hon. S. B.; Minister of Consumer and Commercial Relations (Carleton PC)
Henderson, Hon. L. C.; Minister without Portfolio (Lambton PC)
Hodgson, W. (York North PC)
Johnson, J. (Wellington-Dufferin-Peel PC)
Kerr, Hon. G. A.; Minister of the Environment (Burlington South PC)
Kerrio, V. (Niagara Falls L)
Lane, J. (Algoma-Manitoulin PC)
Laughren, F. (Nickel Belt NDP)
Lawlor, P. D. (Lakeshore NDP)
Lewis, S.; Leader of the Opposition (Scarborough West NDP)
Lupusella, A. (Dovercourt NDP)
Mackenzie, R. (Hamilton East NDP)
Maeck, L. (Parry Sound PC)
Makarchuk, M. (Brantford NDP)
Mancini, R. (Essex South L)
McCague, G. (Dufferin-Simcoe PC)
McClellan, R. (Bellwoods NDP)
McKeough, Hon. W. D.; Treasurer, Minister of Economics and Intergovernmental Affairs (Chatham-Kent PC)
McKessock, R. (Grey L)
McMurtry, Hon. R.; Attorney General (Eglinton PC)
McNeil, R. K.; Chairman (Standing Committee) (Elgin PC)
Miller, Hon. F. S.; Minister of Health (Muskoka PC)
Moffatt, D. (Durham East NDP)

Morrow, D. H. (Ottawa West PC)
 Newman, B. (Windsor-Walkerville L)
 Newman, Hon. W.; Minister of Agriculture and Food (Durham-York PC)
 Nixon, R. F. (Brant-Oxford-Norfolk L)
 Norton, K. (Kingston and the Islands PC)
 O'Neil, H. (Quinte L)
 Peterson, D. (London Centre L)
 Philip, E. (Etobicoke NDP)
 Reid, T. P. (Rainy River L)
 Renwick, J. A. (Riverdale NDP)
 Rhodes, Hon. J. R.; Minister of Housing (Sault Ste. Marie PC)
 Riddell, J. (Huron-Middlesex L)
 Rowe, Hon. R. D.; Speaker (Northumberland PC)
 Roy, A. J. (Ottawa East L)
 Ruston, R. F. (Essex North L)
 Samis, G. (Cornwall NDP)
 Sargent, E. (Grey-Bruce L)
 Shore, M. (London North PC)
 Singer, V. M. (Wilson Heights L)
 Smith, Hon. J. R.; Minister of Correctional Services (Hamilton Mountain PC)
 Smith, R. S. (Nipissing L)
 Smith, S. (Hamilton West L)
 Snow, Hon. J. W.; Minister of Transportation and Communications (Oakville PC)
 Stephenson, Hon. B.; Minister of Labour (York Mills PC)
 Stokes, J. E.; Chairman (House) (Lake Nipigon NDP)
 Stong, A. (York Centre L)
 Swart, M. (Welland-Thorold NDP)
 Sweeney, J. (Kitchener-Wilmot L)
 Timbrell, Hon. D. R.; Minister of Energy (Don Mills PC)
 Warner, D. (Scarborough-Ellesmere NDP)
 Welch, Hon. R.; Minister of Culture and Recreation (Brock PC)
 Wells, Hon. T. L.; Minister of Education (Scarborough North PC)
 Wildman, B. (Algoma NDP)
 Williams, J. (Oriole PC)
 Wiseman, D. J. (Lanark PC)
 Yakabuski, P. J. (Renfrew South PC)
 Ziemba, E. (High Park-Swansea NDP)

Workmen's Compensation Board officials taking part:

Greaves, J. R.; Director, Revenue Branch
 Jacobs, Dr. W. F., Commissioner
 Kerr, W. R., Executive Director, Claims
 MacDonald, A. G., Vice-Chairman, Administration
 McCracken, Dr. W. J., Executive Director, Rehabilitation Services
 Reed, G. W., Vice-Chairman, Appeals
 Starr, M., Chairman of the Board
 Sweeney, V. G., Executive Director, Administrative Resources



DEBATES AND PROCEEDINGS

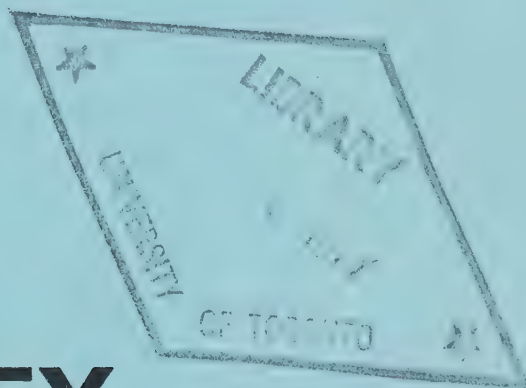
of the

Second and Third Sessions of the Thirtieth Legislature

of the

Province of Ontario

Thursday, January 15, 1976 – Thursday, December 16, 1976



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of the

Second and Third Sessions of the Thirtieth Legislature

of the

Province of Ontario

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Speaker: Honourable Russell Daniel Rowe

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
PARLIAMENT BUILDINGS, TORONTO
1977



Members of the Executive Council*

Hon. William G. Davis, *Premier and President of the Council*
Hon. Robert Welch, *Minister of Culture and Recreation*
Hon. James A. C. Auld, *Chairman, Management Board of Cabinet*
Hon. Rene Brunelle, *Minister without Portfolio and Chairman of Cabinet*
Hon. Thomas L. Wells, *Minister of Education*
Hon. George A. Kerr, *Minister of the Environment*
Hon. Leo Bernier, *Minister of Natural Resources*
Hon. James W. Snow, *Minister of Transportation and Communications*
Hon. Margaret Birch, *Provincial Secretary for Social Development*
Hon. Claude Bennett, *Minister of Industry and Tourism*
Hon. W. Darcy McKeough, *Treasurer, Minister of Economics and Intergovernmental Affairs*
Hon. Arthur K. Meen, *Minister of Revenue*
Hon. William Newman, *Minister of Agriculture and Food*
Hon. Sidney B. Handleman, *Minister of Consumer and Commercial Relations*
Hon. Frank S. Miller, *Minister of Health*
Hon. John R. Rhodes, *Minister of Housing*
Hon. Donald R. Irvine, *Provincial Secretary for Resources Development*
Hon. Dennis R. Timbrell, *Minister of Energy*
Hon. John P. MacBeth, *Provincial Secretary for Justice and Solicitor General*
Hon. John R. Smith, *Minister of Correctional Services*
Hon. Margaret Scrivener, *Minister of Government Services*
Hon. Harry C. Parrott, *Minister of Colleges and Universities*
Hon. James A. Taylor, *Minister of Community and Social Services*
Hon. Bette Stephenson, *Minister of Labour*
Hon. Roy McMurtry, *Attorney General*
Hon. Lorne C. Henderson, *Minister without Portfolio*

Parliamentary Assistants*

Mr. Frank Drea, *Assistant to the Minister of Consumer and Commercial Relations*
Mr. Robert G. Eaton, *Assistant to the Minister of Agriculture and Food*
Mr. Larry Grossman, *Assistant to the Attorney General*
Mr. William Hodgson, *Assistant to the Minister of Housing*
Mr. Terry Jones, *Assistant to the Provincial Secretary for Social Development*
Mr. Robert D. Kennedy, *Assistant to the Minister of Education*
Mr. John Lane, *Assistant to the Minister of Transportation and Communications*
Mr. Nicholas G. Leluk, *Assistant to the Minister of Culture and Recreation*
Mr. Keith Norton, *Assistant to the Treasurer and Minister of Economics and Intergovernmental Affairs*
Mr. Douglas J. Wiseman, *Assistant to the Minister of Health*
Mr. Paul J. Yakabuski, *Assistant to the Minister of Natural Resources*

*Constitution of the Executive Council and list of Parliamentary Assistants at prorogation December 16, 1976.

Provincial Parliament Members*

Angus, I. (N.D.P.) Fort William	Dukszta, J. (N.D.P.) Parkdale
Auld, Hon. J. A. C. (P.C.) Leeds	Eakins, J. (L.) Victoria-Haliburton
Bain, R. (N.D.P.) Timiskaming	Eaton, R. G. (P.C.) Middlesex
Belanger, J. A. (P.C.) Prescott and Russell	Edighoffer, H. (L.) Perth
Bennett, Hon. C. (P.C.) Ottawa South	Evans, D. A. (P.C.) Simcoe Centre
Bernier, Hon. L. (P.C.) Kenora	Ferrier, W. (N.D.P.) Cochrane South
Birch, Hon. M. (P.C.) Scarborough East	Ferris, J. P. (L.) London South
Bounsall, E. J. (N.D.P.) Windsor-Sandwich	Foulds, J. F. (N.D.P.) Port Arthur
Breaugh, M. (N.D.P.) Oshawa	Gaunt, M. (L.) Huron-Bruce
Breithaupt, J. R. (L.) Kitchener	Germa, M. C. (N.D.P.) Sudbury
Brunelle, Hon. R. (P.C.) Cochrane North	Gigantes, E. (N.D.P.) Carleton East
Bullbrook, J. E. (L.) Sarnia	Givens, P. G. (L.) Armourdale
Burr, F. A. (N.D.P.) Windsor-Riverside	Godfrey, C. (N.D.P.) Durham West
Bryden, M. (N.D.P.) Beaches-Woodbine	Good, E. R. (L.) Waterloo North
Campbell, M. (L.) St. George	Grande, A. (N.D.P.) Oakwood
Cassidy, M. (N.D.P.) Ottawa Centre	Gregory, M. E. C. (P.C.) Mississauga East
Conway, S. (L.) Renfrew North	Grossman, L. (P.C.) St. Andrew-St. Patrick
Cunningham, E. (L.) Wentworth North	Haggerty, R. (L.) Erie
Davidson, M. (N.D.P.) Cambridge	Hall, R. (L.) Lincoln
Davis, Hon. W. G. (P.C.) Brampton	Handleman, Hon. S. B. (P.C.) Carleton
Davison, M. (N.D.P.) Hamilton Centre	Henderson, Hon. L. C. (P.C.) Lambton
Deans, I. (N.D.P.) Wentworth	Hodgson, W. (P.C.) York North
di Santo, O. (N.D.P.) Downsview	Irvine, Hon. D. R. (P.C.) Carleton-Grenville
Drea, F. (P.C.) Scarborough Centre	

Johnson, J. (P.C.)
 Wellington-Dufferin-Peel
 Johnston, R. M. (P.C.)
 St. Catharines
 Jones, T. (P.C.)
 Mississauga North

 Kennedy, R. D. (P.C.)
 Mississauga South
 Kerr, Hon. G. A. (P.C.)
 Burlington South
 Kerrio, V. (L.)
 Niagara Falls

 Lane, J. (P.C.)
 Algoma-Manitoulin
 Laughren, F. (N.D.P.)
 Nickel Belt
 Lawlor, P. D. (N.D.P.)
 Lakeshore
 Leluk, N. G. (P.C.)
 York West
 Lewis, S. (N.D.P.)
 Scarborough West
 Lupusella, A. (N.D.P.)
 Dovercourt

 MacBeth, Hon. J. P. (P.C.)
 Humber
 MacDonald, D. C. (N.D.P.)
 York South
 Mackenzie, R. (N.D.P.)
 Hamilton East
 Maeck, L. (P.C.)
 Parry Sound
 Makarchuk, M. (N.D.P.)
 Brantford
 Mancini, R. (L.)
 Essex South
 Martel, E. W. (N.D.P.)
 Sudbury East
 McCague, G. (P.C.)
 Dufferin-Simcoe
 McClellan, R. (N.D.P.)
 Bellwoods
 McEwen, J. E. (L.)
 Frontenac-Addington
 McKeough, Hon. W. D. (P.C.)
 Chatham-Kent
 McKessock, R. (L.)
 Grey
 McMurtry, Hon. R. (P.C.)
 Eglinton

McNeil, R. K. (P.C.)
 Elgin
 Meen, Hon. A. K. (P.C.)
 York East
 Miller, Hon. F. S. (P.C.)
 Muskoka
 Miller, G. I. (L.)
 Haldimand-Norfolk
 Moffatt, D. (N.D.P.)
 Durham East
 Morrow, D. H. (P.C.)
 Ottawa West

 Newman, B. (L.)
 Windsor-Walkerville
 Newman, Hon. W. (P.C.)
 Durham-York
 Nixon, R. F. (L.)
 Brant-Oxford-Norfolk
 Norton, K. (P.C.)
 Kingston and the Islands

 O'Neil, H. (L.)
 Quinte

 Parrott, Hon. H. C. (P.C.)
 Oxford
 Peterson, D. (L.)
 London Centre
 Philip, E. (N.D.P.)
 Etobicoke

 Reed, J. (L.)
 Halton-Burlington
 Reid, T. P. (L.-Lab.)
 Rainy River
 Renwick, J. A. (N.D.P.)
 Riverdale
 Rhodes, Hon. J. R. (P.C.)
 Sault Ste. Marie
 Riddell, J. (L.)
 Huron-Middlesex
 Rollins, C. T. (P.C.)
 Hastings-Peterborough
 Rowe, Hon. R. D. (P.C.)
 Northumberland
 Roy, A. J. (L.)
 Ottawa East
 Ruston, R. F. (L.)
 Essex North

 Samis, G. (N.D.P.)
 Cornwall

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Sandeman, G. (N.D.P.)

Peterborough

Sargent, E. (L.)

Grey-Bruce

Scrivener, Hon. M. (P.C.)

St. David

Shore, M. (P.C.)

London North

Singer, V. M. (L.)

Wilson Heights

Smith, G. E. (P.C.)

Simcoe East

Smith, Hon. J. R. (P.C.)

Hamilton Mountain

Smith, R. S. (L.)

Nipissing

Smith, S. (L.)

Hamilton West

Snow, Hon. J. W. (P.C.)

Oakville

Spence, J. P. (L.)

Kent-Elgin

Stephenson, Hon. B. (P.C.)

York Mills

Stokes, J. E. (N.D.P.)

Lake Nipigon

Stong, A. (L.)

York Centre

Swart, M. (N.D.P.)

Welland-Thorold

Sweeney, J. (L.)

Kitchener-Wilmot

Taylor, Hon. J. A. (P.C.)

Prince Edward-Lennox

Timbrell, Hon. D. R. (P.C.)

Don Mills

Villeneuve, O. F. (P.C.)

Stormont-Dundas-Glengarry

Warner, D. (N.D.P.)

Scarborough-Ellesmere

Welch, Hon. R. (P.C.)

Brock

Wells, Hon. T. L. (P.C.)

Scarborough North

Wildman, B. (N.D.P.)

Algoma

Williams, J. (P.C.)

Oriole

Wiseman, D. J. (P.C.)

Lanark

Worton, H. (L.)

Wellington South

Yakabuski, P. J. (P.C.)

Renfrew South

Young, F. (N.D.P.)

Yorkview

Ziemba, E. (N.D.P.)

High Park-Swansea

*As at prorogation, December 16, 1976.

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First reading 602. Second reading 1442. Third reading 1442. Royal assent 1633.

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First reading 602. Second reading 1706. Third reading 1706. Royal assent 2095.

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First reading 1268. Second reading 1940. Third reading 1940. Royal assent 2095.

Bill Pr7—McMaster University Act—R. F. Nixon

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Bill Pr11—Napco Poultry Ltd. Act—R. Mancini

First reading 1160. Second reading 1706. Third reading 1706. Royal assent 2095.

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First reading 1160. Second reading 2241. Third reading 2241. Royal assent 2310.

Bill Pr13—City of Toronto Act—L. Grossman

First reading 1268. Second reading 2241. Third reading 2241. Royal assent 2310.

Bill Pr14—Town of Fort Erie Act—R. Haggerty

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—M. Campbell

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First reading 1161.

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- Bill 5—Members of Commodity Boards Act—Hon. W. Newman**
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- Bill 6—Drainage Amendment Act—Hon. W. Newman**
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- Bill 7—Territorial Division Amendment Act—Hon. W. D. McKeough**
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- Bill 8—Local Improvement Amendment Act—Hon. W. D. McKeough**
First reading 209. Second reading 1112. Third reading 1113. Royal assent 1441.
- Bill 9—Niagara Escarpment Planning and Development Act—Hon. W. D. McKeough**
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- Bill 10—Gift Tax Amendment Act—Hon. A. K. Meen**
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- Bill 77—Vital Statistics Amendment Act—Hon. S. B. Handleman**
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—**Hon. W. D. McKeough**

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Bill 133—Assessment Amendment Act—Hon. A. K. Meen

Ministerial statement 4109. First reading 4123. Second reading 4356, 4365. Third reading 4374. Royal assent 5450.

Bill 134—Gift Tax Amendment Act—Hon. A. K. Meen

Ministerial statement 4109. First reading 4123. Second reading 4501.

Bill 135—Wine Content Act—Hon. S. B. Handleman

Ministerial statement 4106. First reading 4123. Second reading 5783. In committee 5997, 6005. Third reading 6005. Royal assent 6062.

Bill 136—Corporations Information Act—Hon. S. B. Handleman

Ministerial statement 4107. First reading 4123. Second reading 4375. In committee 4426, 4435, 4454. Third reading 4606. Royal assent 5450.

Bill 137—Business Corporations Amendment Act—Hon. S. B. Handleman

First reading 4123. Second reading 4375. In committee 4453. Third reading 4606. Royal assent 5450.

Bill 138—Corporations Amendment Act—Hon. S. B. Handleman

First reading 4123. Second reading 4376. In committee 4453. Third reading 4606. Royal assent 5450.

Bill 139—Employees' Health and Safety Act—Hon. B. Stephenson

Ministerial statement 4099. First reading 4124. Second reading 4642, 4694, 4729, 4778. In committee 5494, 5601, 5635, 5683. Third reading 5699. Royal assent 6062.

Bill 140—Family Law Reform Act—Hon. R. McMurtry

Ministerial statement 4101. First reading 4124. Second reading 4792, 4829, 4885, 4940.

Bill 141—Marriage Act—Hon. R. McMurtry

Ministerial statement 4101. First reading 4124. Second reading 4958.

Bill 149—Municipal Amendment Act—Hon. W. D. McKeough

First reading 4203. Second reading 4454, 4510. In committee 5199, 5215. Third reading 5350. Royal assent 5450.

Bill 150—Regional Municipalities Amendment Act—Hon. W. D. McKeough

First reading 2404. Second reading 4516. In committee 5213. Third reading 5351. Royal assent 5450.

Bill 151—District Municipality of Muskoka Amendment Act

—Hon. W. D. McKeough

First reading 4204. Second reading 4517. In committee 5213. Third reading 5351.
Royal assent 5450.

Bill 152—Municipality of Metropolitan Toronto Amendment Act

—Hon. W. D. McKeough

First reading 4204. Second reading 4518. In committee 5213. Third reading 5351.
Royal assent 5450.

Bill 153—County of Oxford Amendment Act—Hon. W. D. McKeough

First reading 4204. Second reading 4518. In committee 5214. Third reading 5351.
Royal assent 5450.

Bill 154—Municipality of Shuniah Amendment Act—Hon. W. D. McKeough

First reading 4204. Second reading 4521. Third reading 4521. Royal assent 5450.

Bill 155—Insurance Amendment Act—Hon. S. B. Handleman

Ministerial statement 4184. First reading 4204. Second reading 4504. Third reading 4509. Royal assent 5450.

Bill 156—Motor Vehicle Accident Claims Amendment Act

—Hon. S. B. Handleman

Ministerial statement 4184. First reading 4204. Second reading 4510. Third reading 4510. Royal assent 5450.

Bill 168—Corporations Tax Amendment Act—Hon. A. K. Meen

First reading 4940. Second reading 5484. Third reading 5494. Royal assent 6062.

Bill 169—Income Tax Amendment Act—Hon. A. K. Meen

First reading 4940. Second reading 5488. Third reading 5494. Royal assent 6062.

Bill 170—Retail Sales Tax Amendment Act—Hon. A. K. Meen

First reading 4940. Second reading 5559. In committee 5599. Third reading 5600.
Royal assent 6062.

Bill 171—Funeral Services Act—Hon. F. S. Miller

First reading 5121. Second reading 5450, 5481. In committee 5891, 5903, 5989, 6004. Third reading 6005. Royal assent 6062.

Bill 176—Labour Relations Amendment Act—Hon. B. Stephenson

Ministerial statement 5259. First reading 5281. Second reading 6005.

Bill 187—Regional Municipality of Hamilton-Wentworth Amendment Act

—Hon. W. D. McKeough

First reading 5599. Second reading 5773. In committee 6002. Third reading 6005.
Royal assent 6062.

Bill 189—Unified Family Court Act—Hon. R. McMurtry

Ministerial statement 5622. First reading 5634. Second reading 5877. In committee 5886. Third reading 6005. Royal assent 6062.

Bill 190—Judicature Amendment Act—Hon. R. McMurtry

First reading 5634. Second reading 5886. Third reading 5886. Royal assent 6062.

Bill 191—Children's Law Reform Act—Hon. R. McMurtry

Ministerial statement 5972. First reading 5988.

Bill 194—Supply Act—Hon. W. D. McKeough

First reading 6062. Second reading 6062. Third reading 6062. Royal assent 6062.

Members' Bills

Bill 19—Ontario Lottery Amendment Act—F. A. Burr

First reading 212.

Bill 21—School Boards and Teachers Collective Negotiations Amendment Act—N. G. Leluk

First reading 334.

Bill 22—Freedom of Information Act—D. C. MacDonald

First reading 372. On second reading 3040.

Bill 23—Ontario Human Rights Code Amendment Act—B. Newman

First reading 372. On second reading 2770.

Bill 24—Fire Protection Act—I. Deans

First reading 453.

Bill 28—Education Amendment Act—A. Grande

First reading 539.

Bill 29—Automobile Insurance Rate Control Board Act—M. Swart

First reading 601.

Bill 30—Labour Relations Act—R. Haggerty

First reading 602.

Bill 31—Good Samaritan Act—R. Haggerty

First reading 602.

Bill 32—Safety Committees Act—R. Haggerty

First reading 602.

Bill 35—Municipal Amendment Act—J. E. Bullbrook

First reading 665.

Bill 36—Medical Data Bank Act—B. Newman

First reading 754.

Bill 37—Abortion Referral Registration Act—F. Drea

First reading 841. On second reading 1287.

Bill 38—Public Health Amendment Act—N. G. Leluk

First reading 888. On second reading 2188.

Bill 40—Athletics Control Amendment Act—L. Grossman

First reading 967.

Bill 42—Election Finances Reform Amendment Act—J. Johnson

First reading 1089.

- Bill 49—Health Insurance Amendment Act—N. G. Leluk**
First reading 1160.
- Bill 50—Religious Institutions Amendment Act—N. G. Leluk**
First reading 1228.
- Bill 53—Municipal Elderly Tenants Assistance Act—J. A. Renwick**
First reading 1318.
- Bill 57—Condominium Amendment Act—N. G. Leluk**
First reading 1462. On second reading 4521.
- Bill 58—Condominium Amendment Act—N. G. Leluk**
First reading 1462. On second reading 4521.
- Bill 61—Consumer Reporting Amendment Act—T. P. Reid**
First reading 1658.
- Bill 63—Individualized Price Marking on Products Act—D. C. MacDonald**
First reading 1706.
- Bill 65—Labour Ombudsman Act—T. P. Reid**
First reading 1706.
- Bill 66—Ontario Human Rights Code Amendment Act—N. G. Leluk**
First reading 1706.
- Bill 67—Ontario Bill of Rights Act—A. J. Roy**
First reading 1706.
- Bill 68—Post-Retirement Integration of Investment Moneys and Pension Benefits Prevention Act—F. Laughren**
First reading 1780. On second reading 2347.
- Bill 69—Municipal Elections Amendment Act—G. Samis**
First reading 1780.
- Bill 70—Highway Traffic Amendment Act—D. A. Evans**
First reading 1850.
- Bill 71—Employment Standards Amendment Act—S. Lewis**
First reading 1850.
- Bill 72—Legislative Assembly Amendment Act—J. Williams**
First reading 1851. On second reading 5169.
- Bill 73—Simcoe Day Act—G. E. Smith**
First reading 1940. On second reading 3252.
- Bill 74—Driver Training Schools Act—T. P. Reid**
First reading 1940.
- Bill 79—Ontario Human Rights Code Amendment Act—E. J. Bounsall**
First reading 2011.

MEMBERS' BILLS—*Continued*

Bill 80—Child Welfare Amendment Act—N. G. Leluk

First reading 2084.

Bill 83—Family Benefits Amendment Act—E. W. Martel

First reading 2170.

Bill 86—Health Insurance Amendment Act—E. Ziemba

First reading 2240.

Bill 88—Mental Health Amendment Act—G. E. Smith

First reading 2461.

Bill 91—Power Corporation Amendment Act—E. Sargent

First reading 2653. On second reading 4306.

Bill 92—Occupational Health Act—E. W. Martel

First reading 2653.

Bill 93—Handcuff Sales Prevention Act—L. Grossman

First reading 2653.

Bill 95—Regional Municipality of Durham Amendment Act—C. Godfrey

First reading 2798. On second reading 4663.

Bill 103—Employment Standards Amendment Act—E. J. Bounsall

First reading 3100.

Bill 107—Labour Relations Amendment Act—E. J. Bounsall

First reading 3169.

Bill 111—Labour Relations Amendment Act—J. E. Bullbrook

First reading 3313.

Bill 112—Labour Relations Amendment Act—J. E. Bullbrook

First reading 3313.

Bill 113—Labour Relations Amendment Act—J. E. Bullbrook

First reading 3313.

Bill 114—Labour Relations Amendment Act—J. E. Bullbrook

First reading 3313.

Bill 115—Labour Relations Amendment Act—J. E. Bullbrook

First reading 3313.

Bill 116—Labour Relations Amendment Act—J. E. Bullbrook

First reading 3314.

Bill 117—Labour Relations Amendment Act—J. E. Bullbrook

First reading 3314.

Bill 118—Labour Relations Amendment Act—J. E. Bullbrook

First reading 3314.

Bill 119—Labour Relations Amendment Act—J. E. Bullbrook

First reading 3314.

Bill 120—Retail Business Holidays Amendment Act—M. Shore
First reading 3411.

**Bill 121—Professional Fund-Raising Corporations Control Act
—B. Newman**
First reading 3411.

Bill 124—Public Officers Amendment Act—E. W. Martel
First reading 3502.

Bill 125—Employment Standards Amendment Act—B. Newman
First reading 3502.

Bill 126—Public Places Smoking Regulation Act—M. Cassidy
First reading 3591.

Bill 128—Special Educational Programmes Act—J. F. Foulds
First reading 4075.

Bill 129—Political Rights for Public Servants Act—M. Cassidy
First reading 4075.

**Bill 142—Hospital Labour Disputes Arbitration Amendment Act
—J. E. Bullbrook**
First reading 4124. On second reading 4900.

Bill 143—Toxic and Hazardous Substances Act—S. Lewis
First reading 4124.

Bill 144—Occupational Health Data Act—S. Lewis
First reading 4124.

Bill 145—Right to Refuse to Perform Dangerous Work Act—S. Lewis
First reading 4124.

Bill 146—Health and Safety Committees Act—S. Lewis
First reading 4124.

Bill 147—Worker-Inspector Act—S. Lewis
First reading 4124.

Bill 148—Highway Traffic Amendment Act—J. R. Breithaupt
First reading 4125.

**Bill 157—Regional Municipality of Hamilton-Wentworth Amendment Act
—E. Cunningham**
First reading 4205.

Bill 158—Uniform Time Act—M. Cassidy
First reading 4205.

Bill 159—Advertising and Selling of Perishable Staples Act—L. Grossman
First reading 4205.

MEMBERS' BILLS—*Continued*

Bill 160—Ontario Waste Disposal and Reclamation Commission Act
—B. Newman

First reading 4263.

Bill 161—Motor Vehicle Accident Claims Amendment Act—A. Grande

First reading 4501.

Bill 162—Foodlands Protection Act—G. McCague

First reading 4641.

Bill 163—Construction Safety Amendment Act—O. di Santo

First reading 4778.

Bill 164—Election Finances Reform Amendment Act—G. Samis

First reading 4884.

Bill 165—Election Public Opinion Polls and Surveys Act—G. Samis

First reading 4885.

Bill 166—Condominium Property Management Firms Act—N. G. Leluk

First reading 4885.

Bill 167—Liquor Control Amendment Act—G. Samis

First reading 4885.

Bill 172—Municipal Elections Finances Reform Act—M. Cassidy

First reading 5121.

Bill 173—Municipal Candidates Act—M. Cassidy

First reading 5122.

Bill 174—Ward Boundaries Act—M. Cassidy

First reading 5122.

Bill 175—Farm Products Grades and Sales Amendment Act—L. Grossman

First reading 5150.

Bill 177—Development Corporations Amendment Act—R. Mackenzie

First reading 5281.

Bill 178—Workmen's Compensation Amendment Act—R. Bain

First reading 5281. On second reading 5413.

Bill 179—Social Referral Services Act—E. Cunningham

First reading 5282.

Bill 180—Workmen's Compensation Amendment Act—O. di Santo

First reading 5282.

Bill 181—Pension Benefits Amendment Act—O di. Santo

First reading 5282.

Bill 182—Workmen's Compensation Amendment Act—A. Lupusella

First reading 5393.

Bill 183—Municipal Elections Amendment Act—M. Swart

First reading 5441.

Bill 184—Labour Relations Amendment Act—A. Stong

First reading 5442. On second reading 5654.

Bill 185—Election Amendment Act—A. Stong

First reading 5442.

Bill 186—Consumer Information Act—E. Cunningham

First reading 5522.

Bill 188—Use of Chlorofluorocarbons in Aerosol Spray Cans Act—R. Bain

First reading 5599.

Bill 192—Education Amendment Act—A. Stong

First reading 5988.

Bill 193—Residential Premises Rent Review Amendment Act—M. Cassidy

First reading 1988.

By Subjects

Abattoirs/slaughterhouses

Davis 750; Gaunt 751, 965, 1010-2;
Lewis 750; MacDonald 2742; McMurtry
3311; Riddell 750, 2742, 3311; J. R. Smith
584-5, 593, 750, 965, 2272, 2454-5, 2459,
2735-6, 2741-2; S. Smith 2454, 2459,
2741; Worton 592-3, 965, 2272.

Abko Laboratories

Lewis 445, 1452; McMurtry 445, 1452;
Singer 445; Ziembra 336-40.

Abortion referral services

Deans 1295-6; Drea 1287-91; Riddell
1296-7; Sandeman 1291-2; Sweeney
1292-3; Williams 1293-5.

Abortions

Deans 1295-6; Drea 841, 1287-91; Gaunt
3781; Haggerty 2272; Riddell 1296-7;
Sandeman 1291-2; Stephenson 2272;
Sweeney 1292-3, 2747, 4476-7; Wells 2747,
2794; Williams 860-1, 1293-5.

Accidents, mine

Bernier 2006; Germa 2665; Martel 2006.

Accidents, motor vehicle

Burr 4174-5; Ferrier 5278, 5432-3;
Hodgson 883-4; Irvine 5343; Kennedy
5277-8; Kerrio 1159, 2457-8; Roy 884;
Snow 884, 1159-60, 1407, 2009, 2074-5,
2457-8, 2746, 5874, 5877; Stong 2009;
Young 5273.

Accidents, nuclear

Bain 6066; Davison 4482-3; Timbrell 6066.

Accidents, occupational

Godfrey 5912; Lupusella 4604; Stephenson
4604.

Accountants/auditors

Good 2811; Norton 3076-7; Renwick
3076-7; Swart 3076, 3111.

Accused persons

Mackenzie 2096; McMurtry 2096.

Administration of justice (*see* Justice, administration of)

Advertising, alcoholic beverages

Angus 739; Drea 774-6; Godfrey 3843;
Handleman 130; F. S. Miller 3845-6;
Nixon 130, 764-5, 4616; Williams 859-60.

Advertising, political parties

Handleman 2745-6; Johnson 1089;
Roy 2745-6.

Advertising/publicity, government

Angus 2827; Bennett 2231-2, 2827, 4223,
5343-4, 5872-3; Bounsall 2230, 2232;
Cunningham 2232, 2844-5, 4223; Davis
2230; Eakins 5343-4; Lewis 2230-1;
Samis 4779; Singer 2231-2; S. Smith
5872-3.

Advisory groups/councils

Birch 3716-7, 3721-3; Campbell 3720-1;
McClellan 3717-8, 3720; S. Smith 3729;
Warner 3732.

Aerosol containers (*see* Containers, aerosol)

Affidavits

Lawlor 1242; Singer 1242-3.

After-care service, correctional

Campbell 5188; Lewis 5188;
J. R. Smith 5188.

Age/age of majority

McMurtry 4954; Warner 4885;
Williams 859.

Age, drinking

Burr 4173-4; Davis 2966; Drea 769-71;
Lewis 2966; Nixon 763-4; S. Smith 2966;
Williams 850-60.

Age, driving

Burr 4217; Ruston 4245.

Age, school

Stong 5988.

Aged, homes for

Bain 5443; Campbell 604, 1776-7;
Ferrier 670; Good 3104; Martel 2991;
McClellan 558, 562; F. S. Miller 5443;
B. Newman 5150, 5193-4; Norton 3104;
Rhodes 5150, 5193-4; Singer 9802-3;
R. S. Smith 452; Stephenson 1777;
Taylor 452-3, 568, 608-9, 619-20.

Aged/senior citizens

Angus 758-9; Bain 5442; Birch 3732,
4939-40; Bounsall 1728-9; Breaugh 691-2;

Bryden 2142; Cunningham 2846-7;
Davis 5346; Deans 5345, 5354; Good
1731; McClellan 562; McKessock 430;
B. Newman 972, 5150, 5167-8, 5193-4;
Renwick 1318; Rhodes 5150, 5193-4;
R. S. Smith 452; Swart 633-4; Taylor
452-3, 608-9, 4843; Warner 1727, 3732;
Wildman 4843.

Agricultural implements (*see* Farm
machinery)

**Agricultural Rehabilitation and
Development Administration**
(*see* ARDA programme)

Agriculture (*see* Farming)

Air bags

Evans 1850.

Air services

Auld 5615; Bernier 4630-1; Foulds
4630-1; Lewis 4630; Sargent 3575-6,
3809-10; Snow 3575-6, 3809, 5615.

Aircraft, Ontario government

Bryden 2242-3; McKeough 2243.

Airport, Pickering

Davis 2573; Godfrey 2470; Lewis 2573;
Philip 886-7; Rhodes 823; Snow 886-7;
Stong 822, 886.

Airports/airstrips

Davis 135, 2536, 2573; Lewis 2573;
Reid 2573; Stong 135, 2535-6.

Alcohol abuse/addiction

Burr 4173-4; Drea 769-71; Godfrey
3843-4; F. S. Miller 3845-6; Moffatt 893;
Nixon 763-7; Ziemba 4472-3.

Alcohol and youth

Birch 1452-3; Burr 4173-4; Lewis 1452;
Reid 1453; Roy 1452-3.

Alcoholic beverages (*see* Liquor/
beer/wine)

Algonquin Forestry Authority

Bernier 4553; Conway 714-6.

Algonquin Park

Bernier 2005; Godfrey 2005; R. S. Smith
2005.

Allergy Information Association

Kennedy 3847; F. S. Miller 3847.

Amalgamation/annexation

Davidson 2205-6; Good 4121-2, 5198;
Makarchuk 4623-4; McKeough 4122, 5198.

Ambulances/services

Angus 3778-80; Bounsall 2459; Conway
719, 3779, 5218-20, 5232-4; Hodgson 5229;
Makarchuk 5227-8; Mancini 868, 2458-9,
3850-1, 4843-4, 5229-32, 5985; McEwen
1515-6; F. S. Miller 3779-80, 3851,
4843-4, 5215, 5219-20, 5228-33; Moffatt
5232; B. Newman 5233; Nixon 5229;
Stephenson 2458-9.

Amendments, budget speech motion

Bryden 1331, 6060; Lewis 5162.

Amendments, reasoned

Bain 282; Bounsall 2052; Foulds 1383-4;
Lewis 13; MacDonald 3318, 3383, 3385,
4979-80, 5099; Reid 1092; Riddell 3384-5;
Wildman 1283.

Amendments, throne speech

Lewis 406-7, 1068; S. Smith 466, 1068-9.

American Can

Kerr 5142, 5263; Lewis 5142, 5263.

Amusement rides

Handleman 3018, 4058-9; B. Newman
3018, 4058-9, 5169, 5312.

Annexation (*see* Amalgamation/
annexation)

Answers to questions on order paper

486-9, 701-5, 987, 1247, 1342, 1444-5,
1640, 1736, 1868-9, 2096-101, 2147-52,
2271-5, 2358-9, 2412-3, 2493-4, 2610,
2686, 2780-2, 2827, 2918-25, 3124-5, 3185,
3349, 3483-4, 3603-9, 3748, 3853-95,
4080-5, 4144-52, 4222-3, 4534, 4553, 4676,
4964, 5061-2, 5221, 5374-5, 5424, 5470-6,
5615, 5665-77, 6065-101.

**Answers to questions on order
paper, re**

Bryden 5634; Welch 5634-5.

Anti-inflation (*see* Inflation)

Appeals, court (*see* Courts, appeal)

Appliances, electrical

Handleman 2740; S. Smith 2740.

**Appointments to boards,
commissions, etc.**

Architectural consultant 3397; Assistant deputy Labour minister 4323; Farmers' financial protection task force 2529; Financial disclosure committee 4923; Industrial Training Council 2643; Ontario Economic Council 2252; Pickering North commission 4208; Property tax commission 2011-2; Reed Paper inquiry 5587; Student testing task force 5108.

Apprenticeship

Bounsall 2520-1, 2656; Breithaupt 2079; Germa 2664-6; Mancini 538; McKessock 3887; B. Newman 2684; Parrott 538, 1498-502, 2079, 2659-60, 2664-5; Wells 3887-8.

Arbitration/boards

Auld 3140, 3149; Bounsall 1285-7, 3149, 4903-5; Breaugh 1247; Breithaupt 1089; Burr 105; Davis 744; Deans 153-5, 158, 161, 164, 4907-8; Drea 4906-7; Eakins 4909-10; Ferris 164, 1284-5; Foulds 1338-40, 1355-6; Jones 4903; Lawlor 1089-90; Lewis 6, 9-12, 159, 743-4; McMurtry 1090, 1363; Nixon 15, 18, 155-6, 160-1, 165; Renwick 156-7, 164, 1089; S. Smith 4901-2; Stephenson 1247-8, 4910, 5969-70; Sweeney 1335, 4905-6; Wells 5, 163, 1232-3, 1280-1, 1380; Wildman 1282-4.

ARC Industries

B. Newman 4640; Taylor 4641.

Architects/architecture

Breithaupt 3592; Cassidy 3410, 3592; Lewis 3592; Scrivener 3397.

Archivist/archives

Kerrio 2720; Welch 2720.

ARDA programme

Conway 5633; MacDonald 1021; W. Newman 906-7, 909, 5633.

Arenas (*see* Stadiums/arenas)

Armed forces

Sweeney 4897-8.

Arsenic poisoning

S. Smith 655-6; Stephenson 655-6, 743.

Arts councils

Kerrio 2705, 2751; Samis 2702, 2722, 2749-50, 2898; Sweeney 2753; Welch 2710-1, 2724, 2749-50, 2752-3, 2898.

Arts/theatre

Davis 5344-5; Foulds 5344-5; Kerrio 2705; Samis 2702; Welch 2711.

Asbestos/asbestosis

Bain 1219; Bernier 252, 653, 1255, 4544; Deans 3494-5; Duksza 3763-5; Ferrier 671; Foulds 1062, 1080; Lewis 252, 401-5, 653, 878-80, 1079, 1218-9, 2318, 2367, 4543, 4714-20, 4766-7, 5941-4; Lupusella 3651; F. S. Miller 3494-5; B. Newman 4697, 5315; Reid 1219; Stephenson 878-80, 1079-80, 1218-20, 2228, 2318, 2367, 4766-7.

Assault, criminal

Burr 849-51.

Assessment centres, correctional

Lewis 4324; J. R. Smith 4324.

Assessment equalization

Burr 4175.

Assessment, farm

Lewis 5153-6.

Assessment, market value

Bryden 1324, 1573, 1579, 1664-7, 4356-7; Campbell 4369-70; Cassidy 4359-60; Cunningham 4368; Deans 4370-2; di Santo 1678; Edighoffer 1559-60, 4365; Good 1668-72, 4357-9; Grande 4365-8; Maeck 1785; Meen 1561-4, 1581, 1661-72, 1674-5, 1785-6, 4109-10, 4372-4; Renwick 4368-9; Swart 1672-5; Sweeney 4478-9; Williams 1680; Young 1552-8, 1661-3.

Assessment, mining companies

Laughren 1783-5; Martel 1675-7, 1781-2; Meen 1781-5.

Assessment, mobile homes

Good 5205-6, 5210-1; Meen 3310-1; Norton 5210; Ruston 5210; Swart 5204-5, 5209, 5211-2; Wildman 3310, 5206-9, 5211.

Assessment offices

Meen 1566; Young 1557-8.

Assessment/reassessment

Bryden 1572-3, 1579, 1664-7; Edighoffer 1559-60; Good 1667-72; Martel 1675-7; McEwen 1517; McKeough 1123; Meen 943, 1561-4, 1581, 1661-72, 1674-5, 1781-9, 2136; Renwick 2135-6; R. S. Smith 2634; Spence 1663; Wildman 1788-9; Williams 1787; Young 1552, 1661-3.

Assessment, shopping centres

Edighoffer 1559-60; Meen 1563-4; Young 1556-7.

Assessment takeover, provincial
Bryden 1324; Good 4358; Williams 1760.

Astralite Ltd.
Lewis 746; Stephenson 746, 878.

Athletics (*see* Sports/athletics)

Atomic energy (*see* Energy, nuclear/atomic)

Attorneys General, re
Drea 3991.

Auditor, provincial
McKeough 2246-7; Sargent 2246-7.

Auditor's report, provincial, re
Lewis 5867; F. S. Miller 5867-8;
Roy 5868.

Auditoriums
Bullbrook 2675-6.

Automation/mechanization
Williams 1856-8.

Automobiles (*see* Motor vehicles)

Automotive trade agreement
Bennett 817-8; Bounsall 1632-3; di Santo 1974-7; McKeough 1130; B. Newman 976; Williams 1763, 1851-4.

Autonomy, municipal/regional
Good 3101, 3116; Nixon 3118-9; Norton 3102-3, 3113-4, 3119; Shore 3117; Stong 3101-2, 3112-3; Swart 3101, 3103, 3106, 3115.

Aviation (*see* Air services)

Awards, sports/cultural
Bryden 5062; Welch 5062.

Bambrough, Roy
Godfrey 4878, 4936; Rhodes 4878, 4935-6.

Bankruptcies
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Banks/banking
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Benzene
F. S. Miller 3925; S. Smith 3925.

Big Daddy TV Co.
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Bilingual services, government/courts
Auld 1830-3, 5004-6; Brunelle 4840; Cassidy 3810, 4332, 4764, 5265; Davis 6058; Lewis 4763-4; McMurtry 5265; Meen 1571-2, 1583; F. S. Miller 5026; Roy 4764; Samis 1831-2, 4840, 5004, 5026, 5105; S. Smith 4331, 5265; Snow 3810, 4763-4; Taylor 4331-2; Villeneuve 1571; Warner 1830-3.

Bilingualism/biculturalism
Davis 3907-8, 5870; Grande 5873-4; Parrott 5374-5; Roy 3908; S. Smith 3907-8; Warner 5374; Wells 5874.

Bill of Rights
Roy 1706.

Bills, drafting of
Lawlor 1238.

Bills, private, re
Singer 1461-2.

Blind persons
Germa 1235, 1364; Kennedy 1236-7; Lawlor 1233; McMurtry 211, 1233, 1235, 1237, 1363-4; B. Newman 1236; Renwick 1236; Roy 1363-4; Sandeman 2673; Singer 1235.

Blood tests
Kerr 2000; McMurtry 5973; B. Newman 5254; S. Smith 1650; Stephenson 1650.

Blue Vista Tours
Angus 3280-2; Bryden 2539; Handleman 2460, 2531, 2539, 3283; Lewis 2531; Philip 2460.

Bluestein affair
McMurtry 4118-9; Singer 4118-9, 4188.

Board, anti-inflation (*see* Review board, anti-inflation)

Board, internal economy
Breithaupt 3646-7; Deans 3156-60, 3646; Lawlor 3151-4; Peterson 3164-6; Renwick 3162-4, 3168; Roy 3160-1; Singer 3154-6, 3167-8; Welch 3166-8.

Boards of health
O'Neil 3911; Stephenson 3911.

Book/periodical distribution
Samis 2724; Welch 2724.

Borrowing, Hydro

Drea 4288-9; Gigantes 4290; Grossman 4295; Haggerty 3588; MacDonald 3578, 4573; McKeough 2285-6; Nixon 2285-6, 4302; Sargent 4299.

Borrowing, municipal

McKeough 2570, 3098.

Borrowing, provincial

Bryden 1433; Cunningham 853; Good 1433-5, 1793, 2029, 2241; McKeough 1120, 1131, 1432-3, 1435-6, 2013, 2029, 2242, 2285; Meen 1793; Nixon 2285-6; Shore 1424, 2022-3; Spence 2211.

Bottles (*see* Containers)

Boundary lines

Good 1112; McKeough 209; Young 1112.

Bradley-Georgetown corridor

Gaunt 752; Lewis 751, 1153, 1157, 1310, 1453; McMurtry 1310, 1453, 5118; Nixon 1153; Reed 751, 963, 1157-8, 5117-8; Timbrell 751-2, 963, 1153-4, 1157-8.

Breathalyser

Lawlor 1488; McMurtry 1488; Roy 2587-8.

Breweries/distilleries/wineries

Birch 1452; Good 1671; Handleman 987; Lewis 1452; Meen 1672; Ziemba 987.

Board, policy/priorities

Angus 2358; Brunelle 2358.

Bribe charges

Breithaupt 2076-7; Cassidy 2077; Lewis 2076; McMurtry 2076-7; W. Newman 1459-60; Peterson 1459-60.

Browndale

Birch 4497; Breithaupt 2791, 4462, 4838; Eakins 55-6, 839, 2369, 2556-7, 3307, 4151-2, 4497; Haggerty 3830; Lewis 1541; McClellan 4494, 5629; McMurtry 1540-1, 1650-1, 1702, 3012, 3097, 4057, 4462, 4838; F. S. Miller 55-6, 2576, 2791, 2879, 3090-1, 3096, 3307-8, 3495, 3759-60, 3825-6, 4152, 4198, 5514, 5629-30, 5710-1; Nixon 3307; Shore 2532, 2879, 3091; S. Smith 1457, 1540-1, 1650-1, 1702, 2002, 2369-70, 2531-2, 2576, 2879, 3012, 3090-1, 3096-7, 3307, 3495, 3727-8, 3770, 3822-3, 3825, 4057, 4198, 4494, 5514, 5629, 5710-1; Stephenson 839, 1457, 2369, 2532, 4494; Yakabuski 3091, 5514, 5629-30.

Budget address

McKeough 1119-31.

Budget debate

Bain 4229-37; Bounsall 1625-33; Breaugh 2334-47; Bryden 1318-31; Burr 4171-6, 4216-7; Cassidy 5358-72; Conway 1633-8; Cunningham 2840-51; Davidson 2203-7; Davis 6046-60; Davison 4481-6; Deans 5329-33, 5351-8; di Santo 1858-66, 1971-7; Drea 4849-57; Eakins 2554-59; Edighoffer 4217-21; Ferrier 5321-9; Gaunt 2994-9; Germa 2635-8, 2833-40; Grossman 3652-7; Haggerty 5317-21; Jones 2212-7; Kennedy 1619-25; Lane 2185-8; Lewis 5150-62; Lupusella 3647-52; Mackenzie 1502-14; Makarchuk 4620-4; Martel 2860-2, 2974-94; McCague 2851-60; McClellan 2325-30; McEwen 1514-27, 1977-95, 2182-7; G. I. Miller 2330-4; B. Newman 5162-9, 5311-7; Nixon 4606-18; Parrott 1497-502; Reed 2221-3; Renwick 6035-46; Roy 2433-41; Ruston 4237-45; Samis 2540-53; Sandeman 2618-23; Shore 1415-31; J. R. Smith 2559-64; 2617-8; R. S. Smith 2623-35; S. Smith 6020-35; Spence 2207-12; Stong 4845-9; Swart 4857-62; Sweeney 4473-81; Warner 4162-71; Wildman 2217-21; Williams 1741-63, 1851-8; Ziemba 4263-9, 4472-3.

Budget, provincial, re

Lewis 1224-5; McKeough 1225; Meen 1224-5, 1316; Reid 1224-5; Young 1224.

Budget, regional priority

McKeough 5863-4.

Building codes/standards

Gaunt 2997-9, 3015; Handleman 1876-7; Rhodes 1304; Singer 3016; Stephenson 3015-6.

Building permits

Rhodes 4326; S. Smith 4326.

Building repairs

Ruston 5298; Scrivener 5298.

Buildings, municipal

Good 4881-2; McKeough 4881; Scrivener 4881-2.

Buildings, Ontario government

Angus 2096, 2166-7, 2691, 4147, 5221; Cunningham 5298-9; Nixon 6070; Roy 5299-300; Ruston 5297-8; Sandeman 5300; Scrivener 2096-7, 2166-7, 2691, 4147, 5221, 5297-300, 6070; Singer 5300.

Burlington Square

Handleman 3404; S. Smith 3404.

Bursaries/scholarships

Renwick 2008.

Burwash institution

McClellan 563; Taylor 609-10.

Bus passenger service

Angus 5534-5; Breaugh 5513; Breithaupt 5143-6, 5189, 5192; Cunningham 5547-8, 5775-7; Davis 5023-4, 5146-7, 5264-5, 5388-90; Davison 5777-8; Deans 1695-6, 5112-4, 5189-90, 5773-5; Drea 5535-8; Gigantes 1697; Gregory 5395, 5550-2; Haggerty 5146, 5541-3; Hodgson 5522; Irvine 5263; Kerrio 1697; Lane 5544-7; Lewis 5188-9, 5263, 5388, 5431-4, 5512-3, 5524, 5548-50, 5975; MacDonald 5387, 5543-4; McMurtry 5524; Moffatt 5387, 5594; Nixon 5190; Norton 5781-3; Peterson 4501, 4546-7; Philip 5023, 5529-30; Reid 5389, 5401; Roy 4547; Sargent 5434, 5533-4, 5975; Singer 5552-3; S. Smith 1696-7, 5022, 5113-4, 5263-4, 5386-90, 5432-4, 5513, 5523, 5526-9, 5592-4; Snow 1696-7, 4501, 4546-7, 5022-4, 5112-4, 5144-6, 5187-92, 5263-4, 5386-8, 5432-5, 5513, 5530-2, 5592-4, 5975; Stong 5521-2, 5538-9; Villeneuve 5540-1; Warner 5433, 5521, 5539-40; Wildman 5190-1.

Buses, articulated

Snow 5703-4.

Buses, school

Lewis 2078; Snow 2078, 5140.

Business hours/days

MacBeth 4842; Mackenzie 4842.

Business practices

Breithaupt 4462; Bryden 2097; Handleman 679-83, 2097-8, 4462-3.

Businesses, small

Angus 4438-9, 4446; Bryden 1322, 1707-8, 4354; Cassidy 4380-1, 4437; Cunningham 4379; Drea 4381-3, 4428; Eakins 816-7; Edighoffer 1707, 4355; Grande 4367; Jones 2212, 2214-7; McCague 2858; McKeough 1125-6, 3143-4; McKessock 799-800; Meen 1709, 2884; Renwick 2132, 4377, 4446-7; Samis 2544; Shore 1421, 2023; S. Smith 3143-4; Williams 1854.

Bylaws, municipal

Good 2811-2; Norton 5199-200; Swart 5200.

Bypasses

Sandeman 2097; Snow 2097.

CAAT (*see* Colleges of applied arts and technology)

CAAT faculties/faculty members (*see* Teachers, post-secondary)

CAAT governors/boards/councils

Bullbrook 2939; Parrott 2658; Warner 2654-5, 2658; Wells 2939.

Cabinet/management board

Auld 1795-6, 1799, 1823-5, 2650, 3748; Bryden 3748; Bullbrook 1798-800; Cunningham 1822-3, 1825; Davidson 1796-8; Reid 2651; Shore 2650.

Campsites/camping

Bain 5512; Bernier 5505-6, 5511-2, 5514; Foulds 5512; Lewis 5511; S. Smith 5512-4.

Canada Metal Co.

S. Smith 656; Stephenson 656.

Canadian Coleman Co.

Lawlor 4060-1; Stephenson 4061.

Canadian General Electric

Bennett 4618-20, 4874-5; Deans 4874; Lupusella 2651, 2792; S. Smith 4874; Stephenson 2651, 2792; Yakabuski 4875.

Canadian Johns Manville Ltd.

Lewis 880, 4325-6; Stephenson 880, 4326.

Canadian National Railways

Philip 4495; Snow 4495, 4550.

Cancer/patients

Deans 5623-6; Foulds 1080; Godfrey 748, 6067; Haggerty 4700; Laughren 4689-90; Lewis 1079, 3802-3, 4325-6, 4690, 4714-20, 4766-7; Mackenzie 5624, 5626, 5630; F. S. Miller 6067; S. Smith 1773-4; Stephenson 748, 1079-80, 1773-4, 3802-3, 4059-60, 4326, 4689-90, 4766-7, 5623-6, 5630.

Candidates, political

Angus 5177-8; Cassidy 5121-2; Davis 5513; Drea 5176-7; Givens 5174-5; Lewis 5513; Martel 2977-8; McKeough 2570; Stong 5178-9; Swart 5172-4; Williams 1851, 5169-72.

Capital punishment

McKessock 800.

Caterers

Angus 3483; Bennett 3483.

CCH Canadian Ltd.

Bounsall 2458, 2576; Bullbrook 2793; Lewis 3223; S. Smith 2576; Stephenson 2458, 2576, 2793, 3223.

SUBJECTS—*Continued*

Cedarwood (*see* Pickering North project)

Cemeteries

Breithaupt 4837; Handleman 4837.

Censorship, films/videotapes

Drea 779-81; McMurtry 964; Singer 964.

Censorship, periodicals/books

Givens 4548-9; Wells 4548-9.

Central Mortgage and Housing

Bryden 1433; McKeough 1432-3, 1435.

Century City

Good 2594.

Chain stores (*see* Supermarkets/chain stores)

Chairman's rulings/comments

Legislative procedures 2768.

Chambers of commerce

Davis 1778; Deans 1778.

Change of name

McMurtry 4593.

Charge plates (*see* Credit cards/charge plates)

Cheese industry

Lewis 1221; MacDonald 1545;
W. Newman 1221, 1545.

Chemical spillage/leakage

Laughren 927.

Chemicals

B. Newman 5316, 5383; Stephenson 5383.

Chemicals, noxious

Grande 4782; Lewis 4713-20; B. Newman 4697.

Child care/welfare

Birch 3730; Burr 646-8; Campbell 938-41; Conway 721-2, 3461-4; Cunningham 641-2, 2847; Davison 636-8; Ferrier 669; Foulds 642-4; Mackenzie 639-40; Martel 2988-90; McClellan 563-7; Renwick 3460-2, 3464; Roy 3463; Sandeman 947-50; R. S. Smith 3178, 3686-7; Taylor 611-5, 638-44, 3169, 3461-4, 3688.

Child resistant containers (*see* Containers, safety)

Children, abused/battered

Campbell 635; Taylor 635.

Children, adolescent

Birch 4325; Lewis 4325.

Children, adopted/foster

R. S. Smith 3196-7; Taylor 3196-8.

Children, assessment of

Campbell 4773, 5516-7, 5711; F. S. Miller 4773, 5516, 5711.

Children, blind

Birch 5024; S. Smith 4877; Wells 4877.

Children, disturbed/mentally ill

Birch 5507-8; Campbell 635; Haggerty 3830-1; S. Smith 3822-4; Taylor 635.

Children, handicapped

Deans 4075; Foulds 2118, 3071-2; Warner 3072-3; Wells 2118, 3073.

Children, illegitimate

Roy 4977-8; Sweeney 4898.

Children, immigrant/ethnic

Grande 2952; McClellan 3034-5; J. R. Smith 2563.

Children, institutionalized

Sandeman 2619-23.

Children, learning disabilities

Godfrey 2781; Stong 3037, 4845-9; Sweeney 5714; Wells 2782, 3034, 3037-8, 5714.

Children, problem

Birch 5506-8; Foulds 3062-3; Wells 3062-3.

Children, retarded

Lewis 957-8; McClellan 3697-8; R. S. Smith 3696; S. Smith 4331; Taylor 957-8, 3697-8, 4331-2, 4500-1; Warner 2804; Wildman 4500-1.

Children, underprivileged

McClellan 3172.

Children, ward

Birch 5147, 5186, 5506-8; Campbell 5188; Lewis 5188; Sandeman 5147; J. R. Smith 5185-7.

Children's aid societies

Angus 736; Bain 985-6; Bullbrook 1054; Burr 646-8; Campbell 126, 251, 605, 938;

Cassidy 126; Cunningham 641-2, 2117, 2847; Davison 636-8; Deans 2117; Ferrier 669; Foulds 642-4, 1060; Gregory 729-30; Leluk 2084; Lewis 125-6, 249-52, 325-6, 387-92, 881, 1934; Mackenzie 639-40; Martel 2988-90; McClellan 251, 326, 558, 562, 564-7, 3688-9; McEwen 1983; G. I. Miller 2974; O'Neil 4842; Reid 325-6; Samis 2552-3; Sandeman 839-40, 948-50; J. R. Smith 2560; R. S. Smith 3177, 3183-4, 3686-9; Taylor 125-7, 249-52, 325-6, 611-5, 620, 638-44, 648, 839-40, 881, 1934, 2117, 3180, 3183-4, 3687-9, 4842.

Children's boarding/group homes

Birch 3730, 5630; Breithaupt 2647; Burr 646; Eakins 55-6; Lewis 2003, 2535; F. S. Miller 55-6; Sandeman 2620, 3679-83; J. R. Smith 1303-4; S. Smith 2002-3, 2321, 2534, 3727, 4771, 5630; Taylor 2002-3, 2321-2, 2534-5, 2647-8, 3683-4, 4500-1, 4771; Wildman 4500-1.

Children's centres, disturbed

Birch 4397; Campbell 4396; Haggerty 4397; Lewis 4395-7; F. S. Miller 4395-7; S. Smith 4396-7.

Children's rights/law

McMurtry 5972-3.

Chipman Chemicals Ltd.

Godfrey 5384; Stephenson 5384.

Chiropractors/osteopaths

Handleman 3572-3; MacDonald 3572-3.

Chloroform

Kerr 3011-2, 3146, 3228-9; F. S. Miller 3145; S. Smith 3011-2, 3145-6.

Chromasco Corp.

Lewis 745-6; Moffatt 883; Stephenson 746, 883.

Churches/religious groups

Leluk 1228.

Citizenship

Eakins 2116; Taylor 2116-7.

Civil servants/crown employees

Angus 2412, 3185, 3349; Auld 486-9, 1305, 1799-804, 1827, 2412-3, 3140, 3149, 3185, 3349, 3484, 3489, 4148, 5260-1; Bounsall 3149, 3966-7; Breithaupt 486; Bullbrook 1798-800, 1805-9; Cassidy 3484; Cunningham 1822-3; Davidson 1796-8, 1826-7; Good 4147-8; Laughren 5869; Lewis 5868; McCague 2855; McKeough

4925, 5869-70; Ruston 1804-5; Sandeman 1801-4.

Civil servants' political activity

Auld 1799-800; Cassidy 4075-6; Davidson 1796-7.

Civil service

Auld 4184; McKeough 1122-3, 1127; Williams 1756.

Civil Service Commission

Auld 1795-6.

Clinics, dental (*see* Dental clinics)

Clothing industry

Bennett 3489-90.

Clubs, social

Samis 2701.

Coal/lignite

Kerr 832-3; Roy 833; S. Smith 832-3.

Collective bargaining

Bain 1004; Bounsall 6006-10; Bullbrook 3314, 6010-4; Foulds 1350-2; Mackenzie 1505-6; Ruston 902-3; Stephenson 802, 5259-60, 6005-6, 6014-5; Warner 2683; Wells 1352.

Colleges (*see* Universities/colleges)

Colleges of applied arts and technology

Bounsall 2523; Bullbrook 1078-9, 2675-6; Deans 831-2; Lewis 1078; B. Newman 2684; Parrott 537, 831-2, 1076-9, 2516-8, 2676, 2684-5, 5374, 6069; Sweeney 537, 832, 1079, 2508-10, 2513, 2684; Warner 537, 832, 2501, 2506, 2683, 5374, 6069.

Commission, construction industry bargaining

Stephenson 2963.

Commission, education relations

Bullbrook 317; Davis 19, 1262; Foulds 1082; Lewis 7-8, 12, 307; B. Newman 318; Nixon 16-7, 299-300, 315-7; Reid 309; S. Smith 1262; Stong 1023; Sweeney 291, 318; Wells 4-6, 276-8, 310-21, 315-8, 1082.

Commission, farm income

MacDonald 4892-3, 5724-7; W. Newman 5093-4, 5725, 5727; Nixon 5058-9, 5725-6; Riddell 4991, 5724-5, 5727.

SUBJECTS—*Continued*

Commission, Hydro planning

Germa 2918-9; Irvine 2919-22.

Commission, law reform

McMurtry 3398-9.

Commission on Legislature

Breithaupt 6027-8; Campbell 6022-3; Cassidy 6020-2; Deans 6026-7; Eaton 6023; Gaunt 6024-5; Morrow 6019-20; B. Newman 6027; Reid 6025-6; Ruston 6025.

Commission, Niagara escarpment

Irvine 5268-9; McKeough 210; McKessock 5268.

Commission, Petroleum Products Pricing

Lewis 2875; Stokes 2875; Timbrell 2870, 2875.

Commission, police brutality

MacBeth 3231; Singer 3230-1.

Commission, property tax

McKeough 2011-2; B. Newman 5316.

Commission, soldiers' aid

Campbell 3201; Taylor 3201.

Commission, violence on television/movies

Bryden 2973; Davis 2973-4.

Committee, central lakeshore urban complex

MacDonald 1017-8, 1021.

Committee, child welfare review

Martel 132; Taylor 132.

Committee, company law

Welch 2569, 2581-2.

Committee, condominium

Handleman 4459.

Committee, daycare

Lewis 127; McClellan 127; Taylor 127.

Committee, disputes advisory

Mackenzie 57.

Committee, government expenditures

Bryden 1640; McKeough 1640.

Committee, highway safety

Welch 2569, 2582.

Committee, highway transportation

Gregory 4201-2, 5393.

Committee, Hydro/rates

di Santo 3586-7; Drea 3585-6; Gigantes 3583-4; Grossman 3581-3; Haggerty 3587-8; MacDonald 260, 3577-80; McCague 3588; Peterson 3580-1; Reed 3584-5; Renwick 3590-1; Timbrell 260, 3588-91, 4553-8; Welch 260.

Committee, land division/severances

Cassidy 4335-7, 4407-9; Good 4406; Nixon 4338-40, 4405-6, 4408-9; Rhodes 4352, 4406, 4425.

Committee, medical review

Lewis 5867; F. S. Miller 5867-8.

Committee members/substitution, select

Auld 5281; Davis 4062; Nixon 206; Singer 205; Welch 2581, 3097, 4122, 5150, 5199, 5988.

Committee members/substitution, standing

B. Newman 206; Nixon 206; Singer 205; Villeneuve 259-60; Welch 207-8, 2748, 5150, 5988, 6028.

Committee, Ombudsman

Davis 4052, 4062, 4073-5; Deans 4065-6; Grossman 4071-2; Lewis 4062-3; MacDonald 4067; Nixon 4072-3; Peterson 4070; Singer 4063-5; S. Smith 4066-7.

Committee procedures

Bullbrook 3098-100; Campbell 5751; Deans 3099-100; Haggerty 5751, 5753; Lawlor 3151-4, 3167-8; Lewis 5751-3; Lupusella 5751-2; Maeck 5752; McMurtry 3155; Renwick 3164; Singer 3099; Stephenson 5751; Welch 3167-8.

Committee, public accounts, re

Breithaupt 5036, 5986; Deans 5032-3, 5037, 5986; Germa 5027-8, 5032; Grossman 5032-5, 5037, 5873; Makarchuk 5028-9, 5035-6; Meen 5028, 5032; Peterson 5029-30; Reid 5029; Renwick 5030; Sargent 5030-1; Singer 5031-2; S. Smith 5028; Welch 5027, 5986; Williams 5986-7.

Committee, regulations

Lawlor 206; Roy 205; Singer 205; Welch 207-8.

Committee, standing committees
Welch 208.

Committee, truck transportation
Snow 1451; Welch 2569, 2580-1.

Committee, Workmen's Compensation Board
5748-67, 5800-58, 5908-59, 6102-75.

Committees, select, re
Brunelle 4534; Foulds 4534; Grossman 3656-7; Welch 2569, 2580-2, 3812.

Committees, standing, re
Auld 5281; Bullbrook 207; Meen 1413; Nixon 2010; Renwick 2010; Singer 204; Welch 204, 207-9.

Communications/services
Scrivener 3299-300.

Community colleges (*see* Colleges of applied arts and technology)

Community pastures
McKessock 797.

Community planning/programmes
R. S. Smith 2765-6; Welch 2765-6.

Community services
Grossman 267-9.

Compensation, flood victims
McKeough 995; Rollins 995.

Compensation, storm damage
Haggerty 368; McKeough 368-9.

Computers
Breithaupt 3570-1; Bryden 1665, 1786-7; Campbell 3200; Ferris 3072, 3571; Foulds 3072; Good 1668-9; Meen 945, 1567, 1663, 1665-6, 1669-70, 1786-8; Renwick 1566; Taylor 3192, 3570-1; Wells 3072; Young 1663.

Conciliation/mediation
Drea 4906-7; Lewis 8; Nixon 15; Wells 4, 1379.

Condominium corporations/directors
Cassidy 4531-2; Cunningham 4533; Gregory 4527-30; Hall 4527; Leluk 1462, 4521-4; Philip 4524-6.

Condominiums (*see* Housing, condominium)

Confederation
Renwick 6044-6.

Conference, economic planning
Davis 4869-70.

Conferences, federal-provincial
Bryden 3574-5; Davis 1532; Haggerty 2263; McKeough 1535, 2263, 3574; S. Smith 1456, 1541-2; Taylor 1456-7.

Conferences, health ministers'
Stephenson 1875.

Conferences, Premiers'
Bullbrook 4685; Conway 5270; Davis 1531-2, 1538, 2072, 4684-5, 5270, 5870, 6056-7; Lewis 1538, 4684-5, 5870; McKeough 1217; Peterson 5870; Roy 4684-5; S. Smith 4684, 5870.

Confidence motions
Davis 3411.

Confidence motions, re
Campbell 3436-7; Cassidy 3425-7; Conway 3427-9; Davis 3442-8; Deans 3416-7; Laughren 3437-8; Lewis 3440-2; MacDonald 3420-3; McKeough 3429-34; Nixon 3417-20; Renwick 3434-6; Riddell 3423-5; S. Smith 3438-40; Welch 3411-6.

Conflict of interest
Conway 838; Haggerty 3295; Lewis 1960, 1962; McEwen 2183-5; McKeough 5588-9; McMurtry 3019; Norton 3294-6, 3706-7; Renwick 3233, 3293-5, 3706-7; Rhodes 5347; Riddell 1224; Stephenson 838, 1224; Swart 5347.

Conservation authorities
Bernier 2007; Germa 2007.

Conservation officers/game wardens
Bernier 653-4, 3292; Haggerty 3287; Lewis 653-4.

Constituency offices
Campbell 2071; Stephenson 2107.

Constitution
Bullbrook 202, 4685; Davis 202-3, 2072, 4092, 4684-5; Lewis 4685; McKeough 1229; S. Smith 4684.

Construction, highways/roads
Breaugh 2335-6, 2339-40; S. Smith 3496; Snow 1148, 1228, 3496; Yakabuski 1228.

SUBJECTS—*Continued*

Construction, hospital

Cassidy 3303; Deans 3226-7; Lewis 3303;
F. S. Miller 3303.

Construction, housing

Cunningham 3240-1; Deans 3246-50;
Drea 3242-5; Hall 3275-6; Handleman
3237-8, 3277-9; Moffatt 3238-40;
B. Newman 3251, 5596; Renwick 3251,
3269-73; Rhodes 5597; Shore 3273-4;
Sweeney 3250-1.

Construction industry

Bounsall 6006-10; Bullbrook 6010-4;
McClellan 4734-6; Stephenson 2963,
5259-60, 6005-6, 6014-5.

Consular corps

Bryden 3000; Davis 3000.

Consultants/services

Campbell 2715; MacDonald 1085-6;
W. Newman 1085-7; Reid 1086; Welch
2715.

Consumer protection

Handleman 679-83, 3301-2.

Consumer reporting services

Handleman 680; Reid 1658.

Containers, aerosol

Bain 5599, 5675; Godfrey 5470; Kerr
5470, 5675-6.

Containers, returnable/non- returnable

Bain 3548-51; Bounsall 3559-62;
Breithaupt 3620, 3622-3, 3632-3;
Bullbrook 1266; Cunningham 3541-4;
Davidson 3554-6; Deans 3593-5, 3627-30;
Gaunt 367-8, 2006; Godfrey 3538-41;
Grossman 3558-9, 3630-1; Haggerty
3592-3; Handleman 994; Kennedy 3553-4;
Kerr 367-8, 583-4, 1265-6, 2006-7, 2084,
3537, 3598-601, 3618-20, 3622-4, 4254;
Mackenzie 3544-6; B. Newman 2007,
3551-3, 3623-4; Nixon 3546-8, 4254;
Peterson 1265-6; Reed 3595; Renwick
3595-8, 3615, 3618-26, 3631-4;
R. S. Smith 3556-8; S. Smith 994,
3615-32; Swart 3627.

Containers, safety

Deans 2191-3; Drea 2194-6; Duksza
2196-7; Leluk 888, 2188-91; B. Newman
2193-4.

Contractors

Angus 3888; Bennett 3888; Makarchuk
5286-7.

Contracts, government

Snow 3140.

Coroners/inquests

Deans 4876; di Santo 4877; Eakins 4401;
Germa 5118; Laughren 4938; Lewis 4401;
MacBeth 4123, 4255-6, 4260, 4401,
4876-7, 4938; Singer 4256, 4260, 4402;
J. R. Smith 4255; S. Smith 4255, 4401-2,
4876; Stephenson 4876.

Corporation directors/executives

Cunningham 4427; Drea 4427-9; Renwick
4426-9.

Corporations

Angus 4435-6, 4438-9, 4445-6; Breithaupt
4439, 4452-3; Bryden 5484-7; Cassidy
4380-1, 4436-8, 4442-4, 4449-50;
Cunningham 4378-80, 4427, 4436, 4444;
Drea 4381-3, 4427-30, 4442; Ferris 4439;
Good 4438; Handleman 4107-8;
Makarchuk 4451-3; Renwick 4376-8,
4426-30, 4439-42, 4446-9, 4453; Roy
4438, 4449-5; Welch 2581-2.

Correctional institutions

Angus 1869; Auld 1816; Foulds 4939;
Makarchuk 1815-6; Scrivener 1869.

Correctional officers

Reed 4639-40, 4689; Roy 1412;
J. R. Smith 1412, 4639-40, 4689.

Corrosion

Handleman 5381.

Cost of living allowance

Deans 5591; Stephenson 5591.

Cost-revenue statements, rental

Cassidy 2336-7, 2379-80, 2388-90, 2392-7,
2441-2, 2463; Drea 2385-6; Germa
2384-5; Good 2381, 2395; Handleman
2336-7, 2381, 2386-7, 2389, 2394-5, 2442;
Lawlor 2394-5; Renwick 2381-3, 2387-8,
2394-5; Shore 2383, 2395; Warner 2384.

Cost-sharing programmes

Davis 1532; di Santo 2141-2; F. S. Miller
3756-7; R. S. Smith 2625, 2972-3;
Stephenson 1875; Taylor 2972-3, 3182-3.

Cottagers/cottages

Drea 4850-4; Handleman 530; Lewis 530.

Council, industrial training

Bounsall 2656; Germa 2664-6; Parrott
1497-502, 2643, 2659-60, 2664-5.

Council, Ministers of Education

Nixon 2657; Parrott 2660.

Council, status of women

Birch 3405, 3723-4; Breithaupt 4461-2; Bryden 3726; Campbell 3405, 3720-1; Davis 4462; S. Smith 3404-5, 3729.

Council, university affairs

Parrott 2670, 2681; Sweeney 2680.

Counselling services, educational

Parrott 2674; Sandeman 2672; Sweeney 2667.

County/township affairs

Good 4519; Handleman 674; Nixon 4519-20; Norton 4520-1, 5214; Parrott 4519; Swart 4518-9.

Court reporters

McMurtry 889.

Courthouses/court facilities

Conway 721; Davis 4767-8; Drea 767-8; Foulds 4938-9; Gigantes 4768; Hodgson 999, 4880; MacBeth 4939; McMurtry 999; Roy 2435-6, 4768; Scrivener 4880-1; S. Smith 4767.

Courts, administration of

Breaugh 684; Conway 721; McMurtry 870-1, 889-92, 3147, 4179-80; Roy 2435-6, 3147.

Courts, appeal

Davis 204, 3804-5; Lewis 3805; McMurtry 2170; Nixon 3804-5; Renwick 247, 257-8; Singer 204.

Courts, family, unified

Bryden 5883; Deans 5883-4; McMurtry 5622-3, 5884-90; Renwick 5877-80, 5887, 5889-91; Roy 5880-3, 5887-90.

Courts, juvenile/family

Bryden 4893; Campbell 4817; Cassidy 4827-8; McMurtry 4104-5, 4955; Roy 4944-5.

Courts, small claims

Moffatt 897.

Courts, supreme/high

Campbell 4001; Drea 3992, 3997-4001; Lawlor 3977-81; McMurtry 2170.

Courts, surrogate

Lawlor 1243; McMurtry 211, 1244; Singer 1243.

Credit cards/charge plates

Auld 4148; Gaunt 3780-1; Good 4147-8; Leluk 1160; McKessock 430, 3830; F. S. Miller 3781-2, 3826, 3830.

Credit/controls

Handleman 4249.

Credit rating

McKeough 4884; Sargent 4884.

Credit unions

Breaugh 5350; Cunningham 4130; Drea 4159-60; Handleman 2869, 4125-8, 4160-2; McClellan 4138-9; Moffatt 4128-30; Nixon 4134; Renwick 4130-3; Roy 4137-8; Samis 4136-7; Shore 4135-6.

Crime/criminals

McMurtry 3410; Roy 3410; Ruston 3409; Stong 4845.

Crime, organized

Breaugh 686-7, 2168-9; MacBeth 2169, 4841-2, 5439-40, 5875-6; McMurtry 2578-9; Peterson 5876; Reid 4840-1, 5439, 5875-6; Roy 2578-9.

Criminal charges

McMurtry 659; Stong 659.

Criminal code

Davis 54; Singer 54.

Crown attorneys

Roy 2438.

Crown corporations/agencies

Breithaupt 6065; Davis 6065.

Crown employees (*see* Civil servants/Crown employees)

Cultural affairs

Samis 2699-704; Welch 2706-10.

Cultural/art objects

Meen 2129-30, 2132; Renwick 2129-32.

Culture and Recreation Ministry personnel

Angus 2713-4; Samis 2712; Welch 2712-3.

Culverts

Eakins 5874; Snow 5874.

Curriculum

Bullbrook 2675; Cunningham 3031; Ferris 4598; Foulds 3026-7, 4635; Nixon 3027; S. Smith 4596-7, 4633-4, 4686; Sweeney 2950, 3019-26, 4598, 4635; Wells 2907-10, 3022, 3025-7, 3030, 3033-4, 4596-8, 4633-6, 4686.

SUBJECTS—*Continued*

Dams (*see* Reservoirs, water)

DARE programme

J. R. Smith 1303.

Data processing (*see* Computers)

Daycare/centres

Birch 3723; Bounsall 1628-30; Breaugh 689-91; Bryden 631-2, 2081, 3726; Campbell 538, 603-4, 937, 2082, 3677-8, 3721; Deans 194-5; Haggerty 644-6; Laughren 930; Lewis 127; Martel 2991-3; McClellan 127, 556-8, 632-3, 2326-9, 3174, 3672-6, 3697-8; G. I. Miller 639; B. Newman 3684; Sandeman 839-40, 3669, 3673-4, 3676-9; S. Smith 592; Sweeney 2081; Taylor 127, 194-5, 538, 568, 617-8, 632-3, 644-6, 839-40, 2081-2, 3669.

Daylight saving

Cassidy 4205.

Dead animal disposal

Eaton 1466; Gaunt 1463; Lawlor 1463, 1466; W. Newman 1463; Riddell 1462.

Deaf/hard of hearing

Bryden 3726; Handleman 4604-5, 5195; Martel 3849; F. S. Miller 3850; O'Neil 4604-5; Sandeman 621-3; Snow 3671; Swart 3671; Taylor 623, 641; Warner 3072-3; Wells 3073.

Dean, Norma case

Birch 4254-5, 4274, 4324, 4392-3, 4395, 4397, 4402, 4460; Campbell 4396; Davis 5339; Lewis 4250-1, 4255, 4261, 4274, 4324-5, 4395-7, 4459-60, 5262, 5339; MacBeth 4255-6, 4401; F. S. Miller 4395-7, 5262; Nixon 4251-2, 4255, 4274; Singer 4256; J. R. Smith 4251-2, 4255, 4260-1; S. Smith 4254-5, 4396-7, 4901-2.

Deaths (*see* Fatalities/deaths)

Debates re answers to oral questions

822-3, 4385-6, 4755-6, 5001-6.

Debates re urgent public matters

5522.

Debentures, municipal

Good 1465, 4511-2, 5201-2; Lawlor 1465-6; Norton 1466, 3458-9, 4514, 5202-3; Swart 3455, 4455, 5200-1.

Debentures, public utilities

McKeough 1003.

Decentralization/centralization, government

McEwen 1517; McKeough 1144; S. Smith 464.

Decentralization, population

Germa 2836.

Deeds/land titles

McKeough 3169.

Deficit, budgetary

Breaugh 2345; Breithaupt 1679; Bryden 1319-20; Bullbrook 2373; Davis 2373; Samis 2542-4; Shore 1420.

Dellcrest Children's Centre

Lewis 5707; F. S. Miller 5707.

Demonstrations, Queen's Park

Davis 3400; Martel 3399; Nixon 3400.

Dental assistants/hygienists

Parrott 253; R. S. Smith 254; S. Smith 252.

Dental clinics

Lewis 2162; Stephenson 2162; Stokes 2162.

Dentists' fees

Nixon 956; S. Smith 882; Stephenson 882, 956.

Dentists/services

Breithaupt 3832; Bryden 956; Bullbrook 1054; Campbell 957; Foulds 2162, 4550-1; Lewis 955, 2162; F. S. Miller 352, 3832, 4550-1; Nixon 956; Reid 2162; R. S. Smith 3214-5; S. Smith 345; Stephenson 956, 2161, 2529; Stokes 2162; Swart 957; Taylor 957, 3215.

Depletion allowances

Meen 2128-9, 2132; Renwick 2127-9, 2131.

Deposit Insurance Corporation

Handleman 2869, 4126.

Depressed/slow-growth areas

Angus 2152; Bennett 2152.

Deserted wives (*see* Wives, separated/deserted)

Design for Development: North-eastern Ontario region

R. S. Smith 2628-33.

Design for Development: North-western Ontario region

McKeough 2476-7; Stokes 2474-6.

Design for Development: Toronto-centred region

McKeough 1139-40, 1145-6.

Detention centres, adult

Foulds 4333-4; Reed 664; Roy 4200; Sandeman 2622-3; J. R. Smith 664, 743, 1001, 2564, 4200, 4333-4, 4392; Stong 1000.

Deterrent fees, medical

F. S. Miller 349-50; S. Smith 343.

Detoxication centres

S. Smith 1935; Stephenson 1935.

Development areas (*see* Planning/development areas)

Development control

McKeough 210.

Development Corporation, Eastern Ontario

Angus 2148; Bennett 2148; Conway 713-4.

Development Corporation, Northern Ontario

Angus 756, 2148, 2918, 3124; Bennett 2148, 2918, 3124.

Development Corporation, Ontario

Angus 2148; Bennett 2148, 4605.

Development, economic/cultural

McKeough 2012, 5863-4; Sweeney 2753; Welch 2753.

Development, industrial

Bennett 2744, 4551; Moffatt 4551; Samis 2743-4; Swart 3108.

Deviant persons

Bounsall 2033; Campbell 2030; Cassidy 2114; MacBeth 2114, 2119; Renwick 2036-7; Roy 2114; Singer 2118; Williams 2034-5.

Dietitians/nutrition

F. S. Miller 3851; Sweeney 3851.

Disabled persons (*see* Handicapped/disabled persons)

Disaster/relief

Davis 2157, 2880; di Santo 2880; Lewis 2110; Welch 2110.

Discharge, absolute/conditional

Lawlor 1470-1, 1488, 2585; McMurtry 1474, 1476, 1478, 2584-5, 2587; Renwick 2584, 2589-90; Roy 1472, 1476-7, 2587-8.

Disclosure, doctors payments

Davis 6059-60; Foulds 5967; Germa 5965; Lewis 5987; McMurtry 5965; F. S. Miller 5967; Singer 5965-6; Williams 5966; Wiseman 5966; Ziemba 5987-8.

Disclosure, government documents

Bullbrook 207; Davis 3804, 4876; Deans 4876; Jones 3045-7; Lewis 664, 3804; MacDonald 372, 3040-3, 4876; Renwick 3047-9; Singer 3049-51; S. Smith 3043-5; Welch 207.

Disclosure, public/financial

Angus 4435-6, 4438-9, 4445-6; Breithaupt 4439, 4452-3; Cassidy 4380-1, 4436-8, 4442-4, 4449-50; Cunningham 4378-80, 4427, 4436, 4444; Drea 4381-3, 4427-30, 4442; Ferris 4439; Good 4438; Handleman 4107-8; Makarchuk 4451-3; McKeough 4923; Renwick 4376-8, 4426-30, 4439-42, 4446-9, 4453; Roy 4438, 4444-5; Samis 4884.

Discrimination

Bounsall 2011, 2032-3; Campbell 2030-1; Grossman 2031-2; Reed 2033-4; Renwick 2035-7; Williams 2034-5.

Discrimination, handicapped

Bounsall 2778-9; Grossman 2776-8; Haggerty 2775-6; B. Newman 373, 2770-3; Sandeman 2774-5; Williams 2773-4.

Discrimination, marital

Leluk 1706.

Discrimination, racial

Breithaupt 5192; Lewis 4276; MacBeth 5192, 5595-6; McClellan 3016; McMurtry 3016, 4115, 4498, 4552-3, 5192; Reid 3016; S. Smith 4115, 4498; Stephenson 4276.

Discrimination, sex

Bryden 4893-5; Laughren 915, 929-31; McMurtry 4956; W. Newman 4882; Sandeman 4882.

Distilleries (*see* Breweries/distilleries/wineries)

SUBJECTS—*Continued*

District municipalities (*see* Regional/district municipalities)

1111-2, 1366, 1548-9, 2963, 3893, 5015;
Renwick 1109-10, 1366, 3480-1, 3633;
Riddell 887-8, 1108-9, 1548; Ruston 904.

Divisions, House

151, 314-5, 1069-70, 1105, 1175, 1232,
1333-4, 1394-5, 1955-6, 2089, 2825,
3384-6, 3448, 3531, 3813-4, 3913, 4045-6,
4077-8, 4353, 4384, 5099-100, 5484,
5600-1, 5798-9, 6061.

Divorces/separations

Sweeney 4896; Warner 4886-9.

Doctor/dentist shortage

Laughren 3838; F. S. Miller 3840-1,
4083-5; Reid 4083.

Doctors

Grossman 1268; F. S. Miller 5440; Philip
5440; Stephenson 1268.

Doctors' fees/salaries

Bain 1003-4; Burr 424-5; Campbell
1776-7; Deans 365; Dukszta 214-8; Foulds
5967; Germa 5505, 5621, 5965; Lewis
386-7; McMurtry 5621, 5708-9, 5965;
F. S. Miller 349, 365, 425-6, 5708, 5967;
B. Newman 662; Sandeman 661-2; Singer
5708-9; 5965-6; S. Smith 343, 346, 5708;
Stephenson 661-2, 1777; Williams 5966;
Wiseman 5966; Ziembra 4265-7.

Doctors, foreign/immigrant

F. S. Miller 350.

Doctors' unethical practices

Campbell 1452; Lewis 326, 1451-2;
MacDonald 327; McKessock 430;
McMurtry 1451-2; F. S. Miller 326-7,
340-1, 350; Ziembra 336-40, 1452.

Dominion Foundries and Steel

Davison 371; Kerr 371.

Domtar Fine Papers

Lewis 4542; Reed 4542; Stephenson 4542.

Don Bere Homes Ltd.

Handleman 1080; Lewis 1080.

Donations, political (*see* Political contributions)

Drainage

Breithaupt 1110-1; Cassidy 1110, 3893;
Deans 3481-2, 3634-8; Drea 3633-8; Eaton
1110; Ferrier 1109; Hall 3634, 3639;
Handleman 3481; MacDonald 1108;
Makarchuk 3639; McKeough 3168-9;
G. I. Miller 2330-1; W. Newman 888, 906,

Drake Personnel

Auld 834-5, 877-8; Bounsall 835;
Handleman 446, 833; Singer 447;
S. Smith 446, 833.

DREE programme

Angus 756; Davis 4770; Ferrier 667-8,
752; Irvine 4769; McKeough 752, 1460,
5864; R. S. Smith 2626-8, 2632; S. Smith
4768-70; Stokes 1460.

DRG Globe Envelopes

Grande 5392; Stephenson 5392.

Drilling, mineral

Bernier 5435-6, 5628-9; Kerr 5436;
Laughren 5436, 5628-9; S. Smith 5435-6.

Drivers, drinking/impaired

Davis 54; Kennedy 5278; MacBeth 752;
O'Neil 54; Singer 752; Snow 5280;
Young 5274.

Drivers, school bus

Snow 5140.

Drivers, suspended

Breithaupt 1470, 2583; Bullbrook 1437-8,
1467-8, 1475-6; Deans 1477; Grossman
2588-9; Lawlor 1468-70, 1488, 2585;
MacDonald 2456, 2535, 2539; McMurtry
1467, 1474-8, 2535, 2584-7; B. Newman
1473; Reid 1472-3, 2589; Renwick 1438,
2583-4, 2586-7, 2589-90; Roy 1471-2,
1476-7, 2586-8; Snow 1437, 2456, 2538,
2540; Williams 2456; Worton 2584.

Drivers, young

Handleman 5259.

Driving instructors/instruction

Reid 1940.

Drought

Angus 3012-3, 3230, 5711-2; Foulds 3013,
5712; Irvine 5712; W. Newman 3012-3,
3230; Reid 5712.

Drug abuse/addiction

Deans 4466; Drea 770-1; McMurtry
4466-7, 4879-80, 5392, 5587; Swart 4466,
4879-80, 5392.

Drug dispensing/distribution

S. Smith 1260-1; Stephenson 1260-1, 1315;
Ziembra 1261, 4265.

Drug treatment/research

Burr 647-8; Taylor 648.

Druggists (*see* Pharmacists)

Drugs, medical

Reid 1156; Stephenson 1156, 1848;
Williams 1848.

Drugs, non-medical

Burr 4171; Nixon 763.

Drugs, prescription, free

Makarchuk 1156; F. S. Miller 235, 3758,
3772; Riddell 226; R. S. Smith 1544;
Spence 1544; Stephenson 1156, 1544;
Swart 3771-3; Ziemba 1156, 4264-5.

Economic councils

Bryden 2250-2; Makarchuk 2253;
McKeough 2248-50, 2252-4, 2570;
G. I. Miller 2252-3; Shore 2248, 2250,
2253-4.

Economic growth

Davis 1137-9; McKeough 1130-1, 1139-47;
Samis 2485, 2546-7.

Economic planning

Breaugh 2303-5; McKeough 2302; Nixon
2299-301.

Education

Conway 716-8; Ferris 2799, 2931-3; Foulds
2798, 2911-7; Grande 2952-7; Kerrio 672;
McEwen 1518; McKessock 800; Stong
1021-3; Warner 2804; Wells 2905-11,
2934-6.

Education, audio-visual

Sandeman 2673.

Education costs

Ferris 2933; Ruston 4238-9; Shore 1425-6;
Sweeney 4477; Wells 2906-7.

Education, early learning

Foulds 2915.

Education, multicultural

Makarchuk 5517-8; B. Newman 5518.

Education, northern Ontario

Warner 2503.

Education, post-secondary

Parrott 2499-500, 2514-17; Sweeney
2506-14.

Education programme

Moffatt 893.

Education, remedial

Bullbrook 2945-7, 2951; Cunningham
3031; Sweeney 2949, 3023; Wells 2945-50.

Education, special

Deans 4075; Foulds 2913; Stong 3037,
5988; Wells 3037-8.

Education standards

Bullbrook 2944-7, 2950-1; Cunningham
851-2, 2841-2, 2850, 3031-2; Davis 657-8;
Ferris 2931-2; McClellan 4500; Sweeney
657-8, 2949-50, 3019-26, 4477-8; Wells
2905-11, 2945-50, 3033-4, 4500, 5107-10.

Educational Communications

Authority

Angus 757-8, 4747; Kerrio 2704-5, 2888;
Nixon 2957-8; Samis 2698, 2886-7;
R. S. Smith 2624-5; Welch 2708-9,
2886-91, 4147; Wells 2958.

Educational materials (*see* Text- books/educational materials)

Eldorado Nuclear Ltd.

Davis 4770; Foulds 4770; Irvine 4769;
F. S. Miller 52-3; Moffatt 52-3, 4769;
Nixon 52; S. Smith 4768-70.

Election campaigns/costs (*see* Financing election campaigns, *and* Political contributions)

Election, Quebec

Davis 4683-4; S. Smith 6029-35.

Elections/by-elections

Breithaupt 747-8; Lewis 747-8; Williams
5171.

Elections, municipal

Cassidy 5121-2; Ferrier 4637; Foulds
2172-3; McKeough 2011, 4637, 4763;
B. Newman 5165-6; Norton 2172-4; Swart
5441-2; Williams 5169-71.

Electoral districts

Breithaupt 1091; W. Newman 1091;
Swart 1091; Welch 209; Young 1091.

Electric utilities

Swart 808-9.

Electronic surveillance

MacBeth 4637-8, 4773, 4841; McMurtry
4878-9, 5973-5; Roy 4637-8, 4774, 4878-9;
S. Smith 2455; Stephenson 2455.

SUBJECTS—*Continued*

Elliot Lake

Laughren 3836-7; Lewis 4193, 5159-60, 5937-41; F. S. Miller 4193; Kerr 4631; Lewis 4631-2.

Emergency/first aid services

Breaugh 1188-91; Deans 1196-8; Haggerty 602, 1191-3; MacBeth 1186-8, 1229; Makarchuk 1200-2; Martel 1193-5; Nixon 1202-3.

Emergency measures

Breaugh 1188-91; Davidson 1206-7; Deans 1195-8; Ferrier 1211; Godfrey 1209; Good 1210-1; Haggerty 1191-3; MacBeth 1186-8, 1211, 1229; MacDonald 1209-10; Makarchuk 1200-2; Martel 1193-5; Nixon 1202-3; Renwick 1203-6; Roy 1198-200; Samis 1209; Sweeney 1206; Wildman 1207-9.

Employment

Angus 2273; Bryden 4934, 5560; McKeough 1121, 2274, 4934-5; Peterson 4934; Williams 1760.

Employment agencies

Auld 834-5, 877-8; Bounsall 835; Deans 834; S. Smith 833; Singer 834.

Employment, northern Ontario

Ferrier 5322; Germa 2838.

Employment programmes

Birch 1217; Bryden 2259-60, 2263; Brunelle 2743; Haggerty 2797-8; Lewis 394-6, 5161; Mackenzie 448; McClellan 560, 2325-6, 3173-4; Stephenson 448, 2798; Swart 2743; Taylor 572-3, 608.

Employment standards/branch

Bullbrook 1049; Grande 5392; Stephenson 5392.

Employment, welfare recipients

Angus 736; Bryden 331-2; Campbell 603-4, 934-7; Gregory 728; Lewis 392-6; Martel 2993; McClellan 558-61, 3191, 3198; Sandeman 622; S. Smith 459; Taylor 331-2, 570, 607-8, 618, 629-30, 3183.

Employment, youth

Birch 1217; Bounsall 2523, 2644; Deans 2643-4; B. Newman 976-7, 2644; Parrott 1499, 3309, 4552; Samis 2547; S. Smith 4551-2; Stephenson 998-9, 2643-4; Sweeney 998-9, 2644; Warner 999, 2501, 3308-9.

Energy boards

MacDonald 1161; Peterson 1161; Timbrell 665, 1161-2, 3312-3.

Energy Conservation Week

Timbrell 4249.

Energy costs

Davis 5590-1; Deans 5590; di Santo 1971-2.

Energy/management

Bennett 820; Bryden 1906-8; Davis 1921-3; Davison 4481-6; di Santo 1971-2; Drea 4570-2, 4637; Eakins 4575-6; Gigantes 4558-62; Kennedy 1035; MacDonald 1887-91, 4572-5; McCague 2858; McKeough 1129; Peterson 1891-5, 4569-70; Reed 1918-9, 4562-5; Renwick 1161, 1913-8, 4565-9; Ruston 1919-20; Shore 1417; S. Smith 461-2, 1908-13; Timbrell 1895-906, 4180-3, 4249, 4555-7, 4580-8, 4637.

Energy, nuclear/atomic

Bain 4576-8, 6065-6; Conway 4580; Davison 4481-5; Drea 4571-2; Eakins 4575; Gigantes 4561-2; Grossman 3582; Haggerty 3588, 4579-80; MacDonald 3580, 4572-3; Reed 3585, 4563; Renwick 4567-9; Sargent 4299, 4309; Timbrell 4586, 6065-6.

Energy, solar/wind

Bain 4577; Davison 4485-6; MacDonald 4573-4; Reed 4564; Timbrell 4181; Williams 1757-60.

Energy, steam

Scrivener 4391.

Entertainment

Bryden 1002.

Enumerators/enumerations

Meen 4541-2.

Environmental assessment/impact

Bernier 4194-5; Breithaupt 530; Davis 4186-8; Gigantes 1849-50; Kerr 530, 1310, 4113-4, 4273, 4492-3, 4631-2, 5596; Lewis 1310, 4112-4, 4190-1, 4492, 4631-2; Makarchuk 4631-2; Moffatt 5596; Renwick 4493; Rhodes 1849-50; Singer 4194-5; S. Smith 4194, 4492-3; Worton 4632.

Environmental hearings/board

Cunningham 5984; Davis 4250; Kerr 3853, 5984; Kerrio 4250; Reed 3853.

Equal pay for women

Auld 1802-4, 1830; Bounsall 3910; Lewis 1613; Sandeman 1801-4; S. Smith 1613, 1652; Stephenson 1613, 1652, 2324, 3910-1; Warner 2678-9.

Errata

1177, 1491, 1573, 1687, 2197, 2411, 3392, 3747, 4486.

Essex Packers

Gaunt 1010-2, 2454, 5196; MacDonald 2742; McMurtry 1705, 3311; Riddell 1705, 2454, 2648, 3311; Shore 2742; J. R. Smith 584-5, 2272, 2454-5, 2459, 2735-6, 2741-2, 5196; S. Smith 2454, 2459, 2741; Stephenson 2648; Worton 2272.

Estates/wills

Cassidy 4975-7; McMurtry 2170-2, 4962, 4978-9; Renwick 4962-3; Roy 4977-8.

Estimates

Agriculture and Food 3577, 3601 (see also Committee of Supply index); Attorney General 4606 (see also Committee of Supply index); Cabinet office 3747, 3851, 3894; Colleges and Universities 2499-525, 2654-85, 3851, 3894; Community and Social Services 3169-84, 3191-215, 3672-98, 3851, 3894; Consumer and Commercial Relations 2974, 3601 (see also Committee of Supply index); Correctional Services 2084, 3601 (see also Committee of Supply index); Culture and Recreation 2697-725, 2748-69, 2884-905, 3851, 3894-5; Education 2905-17, 2931-58, 3019-40, 3169, 3851, 3895; Energy 4845 (see also Committee of Supply index); Environment 5273 (see also Committee of Supply index); Government Services 2653, 3601 (see also Committee of Supply index); Health 3755-98, 3815-51, 3895; Housing 2798 (see also Committee of Supply index); Industry and Tourism 5272-3 (see also Committee of Supply index); Justice Secretariat 4778 (see also Committee of Supply index); Labour 4641 (see also Committee of Supply index); Lieutenant Governor 3737, 3851, 3894; Management Board 1795-809, 3851, 3894; Natural Resources 4405 (see also Committee of Supply index); Office of the Assembly 1850, 3601 (see also Committee of Supply index); Ombudsman 3811-2 (see also Committee of Supply index); Premier's office 3737-47, 3851, 3894; Provincial Auditor 2748, 3601 (see also Committee of Supply index); Resources Development 5038 (see also Committee of Supply index); Revenue 1549-73, 1658-77, 1780-95, 3851, 3894; Social Development 3716-37, 3851, 3894; Solicitor General 3811-2 (see also Committee of Supply index); Transportation and Communications 3232, 3601 (see also Committee of Supply index); Treasury, Economics and Intergovernmental Affairs 2011-30, 2241-70, 2281-309, 2464-92, 3851, 3894.

Estimates, re the

Breithaupt 3039; Bullbrook 3098-9; Deans 3099, 3156-60; Foulds 3039-40; Gaunt

6024; Lawlor 3151-4, 3167-8; Peterson 3164-6; Renwick 3162-4, 3168; Roy 3160-2; Shore 3162; Singer 3099, 3154-6, 3167-8; Swart 3039; Welch 3166-8; Wells 3039.

Estimates, supplementary

Agriculture and Food 649 (see also Committee of Supply index); Attorney General 5304-5, 5476; Community and Social Services 556-74, 602-23, 629-48; Culture and Recreation 5300-4, 5476; Environment 5273 (see also Committee of Supply index); Government Services 649, 5297-300, 5476 (see also Committee of Supply index); Health 212-39, 334-56, 413-37, 467-85, 495-521, 649, 5215, 5227-55, 5442-50, 5476; Housing 649, 5282-97, 5476 (see also Committee of Supply index); Natural Resources 5122-33, 5476; Office of Assembly 649, 5522 (see also Committee of Supply index); Ombudsman 5522 (see also Committee of Supply index); Provincial Auditor 5522 (see also Committee of Supply index); Transportation and Communications 649 (see also Committee of Supply index).

Estimates, supplementary, re

Auld 191, 4917, 5381; Stokes 5476; Welch 191, 260, 4940.

Ethnic groups (*see* Minorities/ethnic groups)

Etobicoke Olympic Facilities Fund

Handleman 3306; McMurtry 4057; S. Smith 3306, 4056.

ETV (*see* Television, educational)

Evidence

Lawlor 1242; McMurtry 211, 3398-9; Singer 1242-3.

Examinations, university admission

Bounsall 2522; Sweeney 2668.

Expenditures, provincial (*see* Government spending)

Expense accounts/travel expenses

Bryden 2780; McKeough 2780-1.

Exploration, mineral

Jones 2214; Meen 2133; Renwick 2133.

Exploration, oil

Bryden 1908; Davis 2452; Lewis 2450; MacDonald 1888-91; Peterson 1892-4; Reed 1919; Renwick 1917; S. Smith 1911-3.

SUBJECTS—*Continued*

Explosives

Bernier 2644-5; Deans 2644-5; Germa 2645; Kerrio 2645.

Exports

McKeough 1129-30, 1222, 1312-3; Reid 1222, 1313; Ruston 1222; Shore 1416; Williams 1747-8.

Exports, food

W. Newman 910.

Expressways

Angus 4601-2; Foulds 4602; S. Smith 454, 3496; Snow 3496, 4602, 4842.

Expropriation

Cassidy 2599-600; Lawlor 2602; Lewis 1453; McMurtry 1453, 4593; Rhodes 2601.

Falconbridge Nickel Co.

Bernier 837; Martel 837, 1675-7.

Family/property law

Bounsall 4817-20; Bryden 4892-6; Campbell 4815; Cassidy 4821-8, 4975-7; Givens 4889-92; Handleman 4948; McClellan 4898-900; McMurtry 891-2, 2170-2, 4101-5, 4792-3, 4948-58; Nixon 4946-7; Renwick 4793-80; Roy 2112, 4940-6; Ruston 4947-8; Sandeman 4803-5, 4811-5; Singer 4800-3; S. Smith 2111; Sweeney 4896-8; Warner 4885-9.

Family services (*see* Social/family services)

Family, single-parent

Bryden 629-31; Campbell 195, 603-4; Deans 194-5; Lewis 192-3; McClellan 559, 2327, 3174, 4898-9; Sandeman 621-3; S. Smith 193-4, 459; Taylor 193-5, 618, 629-30.

Family/welfare benefits

Bryden 629; Campbell 329, 529, 603-6; Conway 3461; Deans 831, 2645; Ferrier 5326-7; Foulds 2646; Lewis 528, 5338; Mackenzie 2972; Martel 2170; McClellan 630, 2972, 3172, 3200, 3209-10, 4282; B. Newman 633, 636, 3212-3; Sandeman 4814; R. S. Smith 3175-6, 3179, 3206-8; S. Smith 329; Taylor 329, 528-9, 606, 630-1, 633, 635-6, 831, 2645-6, 2972, 3139-40, 3170-1, 3179-81, 3206-8, 3210, 3212-3, 3461, 4282, 5338.

Farm enlargement/consolidation

W. Newman 907.

Farm income/prices

Bain 4230-1; Eaton 3339; Henderson 3331-2; MacDonald 3319-20, 3322; W. Newman 3316; Riddell 3327; S. Smith 3335; Spence 2210.

Farm income stabilization programme

Angus 5086-8; Bain 1405, 3360-3, 4230-1, 5075-9, 5742; Bounsall 3357; Bullbrook 3375; Davis 3402-3, 3491-3; Deans 1404, 3375-7, 3491; Eakins 5084-6; Eaton 3338-42, 5081-4; Foulds 4997-9; Gaunt 3374-5; Hall 5072-3; Henderson 3329-33; Johnson 3365-8, 5043-5; Lewis 1151, 1537-8, 3342-5, 3401-2; MacDonald 1152, 1405, 2877, 3089, 3317-23, 3403, 3492-3, 4979-90, 5715-8, 5722-33, 5735-44, 5746-7; Mackenzie 3492; Mancini 3370; McCague 2859, 3370-2, 5073-5; McKessock 449, 795-7, 2969, 3373-4, 5041-3; G. I. Miller 2332-3, 3372-3, 5079-81; Moffatt 3333-4, 5038-40; W. Newman 449, 907, 1151-3, 1404-5, 1534, 1537-8, 2870-1, 2877, 2969, 3089, 3315-7, 3377-83, 3575, 3798-9, 4093-9, 4123, 4600, 4979, 5090-9, 5719-20, 5722-3, 5727, 5732-3, 5735-6, 5741-3, 5747; Nixon 1152, 3345-8, 3355-6, 3402-3, 5052-9, 5719, 5726, 5734, 5741, 5743-6; Philip 5069-72; Reid 3492; Riddell 3323-9, 3575, 4600, 4990-6, 5719, 5721, 5724-5, 5727, 5732, 5739-40, 5744-5; Roy 5736-7; Ruston 3357-8, 4999-5001; Samis 2551, 5049-52; Sargent 5089-90; Shore 1418; S. Smith 2877, 3089, 3334-8; Spence 2209, 3363-5, 5047-9; Swart 5720-1; Villeneuve 3359-60, 5059-60, 5067-9; Wildman 1029, 3368-70, 5045-7, 5736, 5745; Wiseman 3356-7.

Farm loans (*see* Junior farmer loans *and* Loans/grants, farmers)

Farm machinery

G. I. Miller 1439; Ruston 1438; Snow 1440.

Farm organizations

Eaton 3340; Lewis 3343-4; MacDonald 3319-21, 3323, 4981-90; Moffatt 3333; W. Newman 3317; Nixon 3346, 3355; Philip 5069; Riddell 3326-7; Wiseman 3356-7.

Farm products marketing board

Wildman 5736.

Farm products/produce

MacDonald 5716-8; W. Newman 1838, 2569-70, 5719-20.

Farm structures

Handleman 1876-7.

Farmers' financial protection

W. Newman 2529.

Farmers/producers

Kennedy 1622; McKessock 795-7;
W. Newman 3005.

Farming

W. Newman 905-13.

Farming, beef

Bain 984; Gaunt 593; Lewis 750, 1537;
MacDonald 1882-3; McKessock 1936;
W. Newman 907-8, 1537, 1882-3, 1936,
3798-9, 5269-70; Philip 1883; Riddell 750,
5269; Ruston 4243; J. R. Smith 593, 750,
965; Spence 2209-10; Wildman 1936-7;
Wiseman 5269; Worton 592-3, 965.

Farming costs

W. Newman 5094-5.

Farming, dairy

Angus 3012-3; Bain 983-4, 1655, 3576-7;
Deans 1698; Foulds 3013; Gaunt 1655,
1699, 2118, 2742, 2994-5, 3808-9, 3924,
4199, 4638; Johnson 3576; MacDonald
1656, 1698, 2115-6, 3150, 3924;
McKessock 2115, 2882, 4280-1;
G. I. Miller 2333; W. Newman 1655-6,
1698-9, 1839-40, 2115-6, 2118, 2742-3,
2882, 3005-6, 2012-3, 3150-1, 3576-7,
3670-1, 3807-9, 3923-5, 4199, 4280-1,
4639; Nixon 3807; Riddell 1699, 2116,
3150, 3670, 3924, 4199; Ruston 4243-4;
Samis 2547; S. Smith 3923; Villeneuve
3359, 3808, 5067-8.

Farming, fruit/vegetable

Deans 5788-93; Haggerty 5795-7; Hall
1883, 5783-6; Handleman 5797-8;
Hodgson 3013-4; Kerrio 5793-5; Moffatt
5783; W. Newman 1883, 2741, 2879,
3014; Ruston 4242-3; S. Smith 2741;
Welch 5786-8.

Farming, tobacco

G. I. Miller 1360-1; Spence 1361.

Farms, corporate

Nixon 5053-4.

Farms, family

McKessock 5041; Nixon 5053; Samis 5050.

Farms/farm lands

Bain 3361; Davis 551, 1262-3, 1267,
4275-6, 6053; Haggerty 2472-4; Kennedy
1619-23; Laughren 916; Lewis 398-401,
1148-9, 1220-2, 1264, 4275, 5152-6 5337;
MacDonald 1015-21, 1151, 1267;
Makarchuk 2297-8; McCague 4641;

McKeough 1142-3; McKessock 795-7,
5042; G. I. Miller 2331-2; W. Newman
905-9, 1149-51, 1220-2, 1547, 5337; Nixon
1149-50; Philip 783; Ruston 904, 5337;
Samis 2551-2; S. Smith 458, 1262-3, 3335;
Swart 809-10, 1151, 1547, 2464, 2466-7,
4275-6, 5337.

Fatalities/deaths

Snow 2074-5.

Federal-provincial affairs

McKeough 4925-6.

Federal-provincial agreements

Bounsall 3961-7; Bullbrook 46, 77-80,
533-4, 4028-31; Breaugh 688-9, 3983-5;
Bryden 4002-5; Campbell 4001-2; Conway
3985-7; Davis 50, 4038-45; Deans 3946-51;
Drea 3991-4001; Good 4017-8; Haggerty
4009-11; Lawlor 3977-81; Lewis 45-6,
4031-8; Mackenzie 4018-22; McKeough
533, 3956-61; McMurtry 247-8, 257-8,
3914, 4022-7; Nixon 46, 50-1, 4013-7;
Peterson 3987-9; Renwick 247, 256-8,
3930-7; Rhodes 1217-8; Roy 3967-9,
3975-7; Sandeman 3990-1; Shore 4011-3;
Singer 45, 50, 84-8, 3951-6; S. Smith
3937-42; Stephenson 3943-6; Sweeney
3981-3; Welch 45-6; Williams 856-7.

Federal-provincial conferences (*see* Conferences, federal-provincial)

Federal-provincial co-operation

Davis 4092-3.

Federation of Labour

Foulds 3026-7; Nixon 3027; Wells 3027.

Fertilizers

Germa 3406; Kerr 3405-6, 3666-7;
Mancini 3405; S. Smith 3405, 3666-7.

Field services, Culture and Recreation

Angus 2713-4; Samis 2749; Welch 2714-5,
2749-50.

Field services, social services

R. S. Smith 3201; Taylor 3201.

Films/industry

Bennett 817; Kerrio 2751; Samis 2699-700,
2722; Welch 2710, 2722, 2752.

Financing counties

Snow 2591.

Financing education

Bounsall 2681; Bullbrook 2675-6; Ferris
2933-4; Foulds 3038; Parrott 1076-7,

SUBJECTS—*Continued*

2515-6, 2676, 2681, 3407-8; Shore 1418-9; Swart 3039; Sweeney 2511-2, 2680, 3407-8; Warner 4168-9.

Financing election campaigns

Burr 848-9; Cassidy 5121-2; McKeough 5470; B. Newman 5165-6, 5311; Philip 5470; Samis 4884.

Financing hospitals

Davis 2229; Grossman 2167; Lewis 2229; Stephenson 2157, 2167-8.

Financing municipal/regional governments

Campbell 603-6, 617; Conway 1636-7; Cunningham 852; Davis 1844; Shore 1422; S. Smith 463-4, 1844; Swart 812-3, 1845; Taylor 615.

Fines/sentences

Burr 849-51; Deans 2646; MacBeth 2646; Mancini 1778-9; McMurtry 659, 1779, 4498; Meen 1570; Renwick 1569-70, 4498; Stong 659.

Fire equipment/vehicles

MacBeth 1231; Martel 1193-5.

Fire prevention/protection

Bernier 5123; Deans 453.

Firearms/control

Bernier 1261-2; Drea 781-2; MacDonald 1261-2; McMurtry 1312, 4880; Reid 1261; Singer 4880; S. Smith 1261, 1312.

Firefighters/firefighting

MacBeth 3575; Wildman 3575.

Fires, forest (*see* Forest fires)

First aid services (*see* Emergency/first aid services)

Fiscal policy

Bryden 2281; McKeough 833, 2288; Shore 1428-9, 2022-3, 2286-8; S. Smith 833.

Fish/management

Bernier 3185; Moffatt 3185.

Fishing, commercial

Angus 1939; Bennett 1938-9; Bernier 653-4, 1267-8, 2456, 5393; Brunelle 2965, 3093, 3311; Foulds 538; Kerr 538; Lewis 653-4, 2965, 3093; Makarchuk 1268; G. I. Miller 1267, 2333-4, 5393; Spence 1938.

Fishing, sport

Bernier 1772, 2455-6; Brunelle 3304, 3662-4; Deans 2080, 3490, 3493-4; Kerr 2080, 5984; Lewis 3662-4; McEwen 1986-7; F. S. Miller 329; B. Newman 2080; Nixon 3304, 3663-4; Reid 3494; S. Smith 329, 1772-3, 2455, 3304, 3663; Stephenson 1772-3; Wildman 5984.

Flooding/control

Bernier 1768-9, 2007, 2794-5; Davidson 1207; Deans 1196-7; Germa 2007; Good 1210-1; Makarchuk 1201; McClellan 2794-5; McKeough 995; B. Newman 5596; W. Newman 909; Nixon 1202; O'Neil 995; Rhodes 5597; Rollins 995.

Florists (*see* Greenhouses/florists)

Food canning/freezing

Handleman 999, 2323; Swart 999, 2323.

Food Council, Ontario

W. Newman 910.

Food import replacement plan

W. Newman 656; Williams 656.

Food prices

Grossman 4205; MacDonald 3322; W. Newman 908, 3005; Ruston 904.

Food processors/products

Gaunt 1460; Grossman 5150; W. Newman 1459-60; Peterson 1459-60.

Food surplus/shortage

MacDonald 3321; S. Smith 3335.

Foreign aid

Davis 2536-7; W. Newman 2569-70; Nixon 2536-7; Samis 2536.

Forest fires

Bernier 2788, 2881, 3008-9, 3221, 3225, 3231; Foulds 3231; Irvine 3404; Lane 2881, 3231; Reid 2788, 3006; S. Smith 3225, 3404.

Forest industries/products

Angus 2152; Bennett 2152; R. S. Smith 2628, 2633.

Forest regeneration/reforestation

Bain 4231-2; Bernier 1610, 4114-5, 4542-3; Ferrier 5321; Foulds 4543; Irvine 3404; Lewis 4114, 4542, 5157-8; MacDonald 4542; S. Smith 3404; Stokes 1610; Swart 4858-62.

Forest resources/management

Bain 4231-3; Bernier 1317, 4110-2, 4114-5; 5193-5; Davis 4184-8, 4190-1, 5143; Ferrier 5321-2; Lewis 4192, 5142, 5156-61; Reid 4193; Swart 4858-62.

Foresters/forests division personnel

Foulds 5338.

Foster Advertising

Campbell 2715; Welch 2715.

Foster parents/homes

Davison 636-7; McClellan 566, 630; Sandeman 2621; Taylor 615, 631, 638.

Fraud

Burr 850; Mackenzie 3014; McMurtry 3014.

Freight/trucking rates

Bain 2479; Cunningham 5409-10; Foulds 1618; Good 3672; Kennedy 1623-4; MacDonald 1318; Reid 5400-1; Snow 1306-7, 1318, 1618, 1876, 3094, 3140, 3672; Wildman 2217-20, 3094; Yakabuski 3094.

French language/culture

Cassidy 1038; Gigantes 865; Samis 2540-1.

French language education/instruction

Cassidy 998, 1038, 1040-1; Ferris 2799, 3060-2; Moffatt 2803; Nixon 2908, 2910; Roy 997-8, 2439, 2800-2; S. Smith 4277; Sweeney 3026, 3061; Wells 997-8, 2808-9, 2908, 3061-2, 4277.

Frood Mine

Bernier 5119; Germa 5118-9.

Fund raising/organizations

Handleman 3300-1, 3306; B. Newman 3411; S. Smith 3306.

Funeral homes/directors

Angus 5904-5; Bounsall 5464-7, 5891, 5899-900, 5902-3, 5906, 5989-96; Breithaupt 5895; Drea 5893-4; Eaton 5899; Ferrier 5468-9; Foulds 5458-63, 5895-8, 5903-7, 5990, 5996; Germa 5467-8, 5894-5; Good 5453-8, 5891-3, 5904-6, 5989-90, 5992-6; Grande 5481-2; Kennedy 5902; F. S. Miller 5121; Moffatt 5451, 5892, 5901, 5906-7, 5989; B. Newman 5463-4, 5899, 5905-6, 5991; Ruston 5901-2, 5990-1; Wiseman 5451, 5483, 5901-2, 5905, 5990-2, 5994-6.

Game wardens (*see* Conservation officers/game wardens)

Garbage dumps (*see* Landfill)

Gas, natural

Bain 4234-5; Davis 1922, 2451; Ferrier 671; Lewis 1771-2; Mancini 4693; Peterson 4692; Renwick 1917; Ruston 4240; Timbrell 1772, 1900-3, 4692-3.

Gas, natural, rates

Davis 2072-3, 5590-1; Deans 5590; B. Newman 5166-7; Peterson 5591; Ruston 901-2; S. Smith 5590-1; Swart 810-1; Timbrell 3312-3, 5713.

Gasoline dealers/association, retail

Burr 848; Handleman 2781; Moffatt 2781; Philip 783-6.

Gasoline prices (*see* Oil/gasoline prices)

Gasoline stations, self-service

McKeough 1459; Philip 1459.

Geary, Major Handley

Welch 2735.

General Motors Corp.

Bennett 4551; Breaugh 4551; Deans 1404; Moffatt 4551; Stephenson 1404.

Girls (*see* Women/girls)

GO Temporary employment

Auld 1828-9.

GO transit service

G. I. Miller 333; Snow 192, 333, 366-7, 537, 575, 5863; Williams 366, 575.

GO Urban system (*see* Transportation, intermediate capacity)

Gold mining assistance

Ferrier 5322.

Golf courses/fees

Handleman 1617, 2006; B. Newman 1617, 2006.

Goodrich, B. F., Co.

Kerrio 2369; S. Smith 2367-8; Stephenson 2367-9.

Government protective services

Davis 1695; Deans 1694-5; MacBeth 5439, 5596; Sandeman 585, 1256; Ziembra 5439.

Government spending

Angus 4145, 4222, 5424; Auld 1532-3, 1823-5, 2246; Breaugh 2343; Bryden 4202-3; Bullbrook 1055; Cunningham 1822-3, 1825; Edighoffer 4219; Gaunt 1005; Johnson 1015; Kennedy 1034, 1036; Kerrio 672; Lane 1024, 2185; Lewis 396-7, 1841; Martel 2860; McCague 2852-5; McEwen 1991-2; McKeough 1120, 1122-4, 1127-8, 1131, 2012-3, 2026-9, 2243-4, 4222, 4919, 4923-5, 5424; Nixon 4616-8; Reed 2222; Riddell 532; Samis 2544; Sandeman 2618; Sargent 472-5, 2246-7; Scrivener 1841-2; Shore 1416, 1419-22, 1429, 2022, 2026-9, 2243-5; S. Smith 462-3 Spence 2207; Sweeney 4473; Williams 857, 1741-2, 1753-6.

Grade 13

Bain 2662-3; Cassidy 4222-3; Nixon 2657, 2661-2; Parrott 2661-2, 2671; Sweeney 2668; Wells 4222-3.

Grade separations (*see* Railway crossings)

Graduates (*see* Students/graduates)

Grants (*see also* Loans/grants)

Grants, arts council

Kerrio 2751; Welch 2752-3.

Grants, children's aid societies

Deans 2117; Taylor 2117.

Grants, cultural

Foulds 5386; Kerrio 2752; Lewis 5385; Samis 2722-3; Singer 5386; Welch 2722-3, 2752, 5385-6.

Grants, daycare/centres

McClellan 3672-4; Taylor 3673-4, 3676.

Grants, emergency

Ruston 4498-9; Snow 4499, 4547-8.

Grants, equalization

B. Newman 5162-5, 5311.

Grants, general support

McKeough 2099-101; Nixon 2099.

Grants, home buyers

Bryden 1579-80, 1582, 4328; Bullbrook 4329-30; Cassidy 4329, 4400; Davis 4060, 4399-401; Deans 1001-2; Edighoffer 1602; Germa 1601, 4400; Gregory 731; Handleman 1001-2; McCague 2855; McEwen 1977; McKeough 1121; Meen

1247, 1581-2, 1601-3, 1658-60, 4108-9, 4327-30, 4400; B. Newman 1604, 1658; Peterson 4329, 4400; Reid 1659-60, 4060; Roy 4060; Ruston 1602-3; Singer 4400; S. Smith 4327, 4329, 4398-9; Spence 2208; Sweeney 4474-5; Williams 1744-6; Ziamba 1247, 4263.

Grants, hospital/health facilities

S. Smith 832, 882; Stephenson 832, 882.

Grants, library

Kerrio 2886; Samis 2885; Welch 2885-6.

Grants, mental health, community

F. S. Miller 5704.

Grants, per capita

McKeough 3098.

Grants, police

Good 2294.

Grants, post-secondary education

Norton 2371; Parrott 2371, 5011-2.

Grants, Provincial lottery

Bryden 4257-8; B. Newman 4260; Roy 4258; S. Smith 4259; Welch 4258-60.

Grants, resources equalization

Good 2293.

Grants, social service

Bryden 3726; R. S. Smith 3200-1; Taylor 3200-1.

Grants, sports

Bryden 5391; Haggerty 4144; Welch 4144-5, 5391.

Grants, unconditional

Edighoffer 4219; Good 3236; McKeough 3098; B. Newman 5164; Norton 3236; Swart 2016, 3235.

Grants, water/sewage facilities

B. Newman 5163-5.

Grants, Wintario

Angus 2271, 2892-3, 4145; Bain 4604; Bennett 2271; Breaugh 2344; Bryden 2901-2; Campbell 2722, 2904-5; Davis 4055; Drea 4854-6; Gaunt 4604; Kerrio 673, 2899-901, 3828; Lewis 4055; McEwen 1990; F. S. Miller 3829; B. Newman 4603-4; O'Neil 371, 3092-3; Philip 5471; Ruston 4241; Samis 2701-3, 2711-2, 2847-8; R. S. Smith 2902-4; Welch 371-2, 2706-8, 2711-3, 2717,

2721-2, 2897-905, 3092-3, 3800-1, 4144-6, 4604, 5471-6.

Grassy Narrows reserve

Bernier 2737-9, 2872-3, 3018, 3085-6;
Brunelle 2738; Davis 2874, 3086-7;
Laughren 3839; Lewis 2737-40, 2760-4,
2779, 2788-9, 2874, 3006, 3009-11, 3018,
3085-7; MacBeth 2874-5, 3006, 3009-11;
McClellan 2739, 2766-7; F. S. Miller
2788-9, 3090, 3841-2; Nixon 3085-8;
Singer 3086; S. Smith 3090; Welch 2740,
2764-5.

Gratuities (*see* Tips/gratuities)

Gravel (*see* Sand/gravel)

Great Lakes cleanup

Godfrey 135; Kerr 134-5, 527-8, 4761;
Reid 134-5.

Great West Steel Industries

di Santo 4332, 4495; Stephenson 4332,
4495.

Greenhouses/florists

Gaunt 2575; Mancini 2575; W. Newman
2575-6; S. Smith 2575.

Grievances/procedures

Auld 1826; Bullbrook 3313-4; B. Newman
1826.

GSW Limited

Bennett 4618-20, 4874-5; Deans 4874;
Lewis 5018; S. Smith 4874; Stephenson
5018-9; Yakabuski 4875.

Guaranteed income (*see* Income, guaranteed)

Guarantees (*see* Warranties/ guarantees)

Guardian, official

Campbell 940-1; Singer 4974-5.

Guardians, legal

Warner 4886.

Guelph Beef Centre Ltd.

Gaunt 593; J. R. Smith 584-5, 593;
Worton 592-3.

Guns (*see* Firearms/control)

Habitat conference

Kerr 3660-1.

Halnor House

Lewis 5338; Taylor 5338.

Hamilton Match Plate Co.

F. S. Miller 2573; S. Smith 2573, 3668,
3923; Stephenson 3668, 3923.

Hamilton-Nanticoke corridor (*see* Hydro corridors)

Handicapped/disabled persons

Birch 3722-3, 3731; Bounsall 2778-9;
Breaugh 691-2; Bryden 3726; Campbell
3211-2; Deans 3204-6; Drea 4854-6;
Ferrier 670, 5327; Grossman 2776-8;
Haggerty 2775-6; Lewis 2971; McClellan
630, 3202, 3214; B. Newman 1236, 2770-3,
2971, 5168-9; Renwick 1236; Sandeman
621, 2774-5; R. S. Smith 3203-4, 3206;
S. Smith 2971; Taylor 631, 2971-2,
3202-6, 3212, 3214; Williams 2773-4.

Handicapped, facilities for

B. Newman 2771, 5168-9, 5312; Parrott
2674; Sandeman 2671-4, 2774.

Handicapped, recreation for

Drea 4854-6.

Hansard/reporting service

Eaton 6023-4; B. Newman 6027; Welch
5986.

Hard of hearing (*see* Deaf/hard of hearing)

Hate propaganda

Leluk 658; McClellan 3016; McMurtry
3016; Stephenson 658.

Haulers Association, Ontario

Lewis 585-6; Snow 586.

Hazardous products

Cunningham 5522; Handleman 2740,
3571-2; Moffatt 3571-2; S. Smith 2740.

Health boards

Davis 4594; Deans 4594; Kerrio 3846-7;
Lewis 3142, 3400; Martel 3850;
F. S. Miller 3846-7, 3850; S. Smith 3401;
Stephenson 3142, 3400-1, 4594.

Health care/services

Angus 737-8, 3778-80; Bain 3795-7,
3815-7; Conway 3773; Cunningham 2845;
Deans 5251-3; Dukszta 213-8, 3603, 3609,
3760-7; Eakins 815; Gaunt 3780-1;
Godfrey 2686; Grossman 3782-7; Hall
3817-8; Laughren 3838-9; Lewis 235-9;

SUBJECTS—*Continued*

Mackenzie 1507-8; Makarchuk 3818;
McEwen 1517, 1985, 1994-5, 2182;
McKessock 3829-30; F. S. Miller 212-3,
226-35, 469-70, 476-8, 2686-9, 3603-9,
3756-60, 3770-1, 3776-7, 3779-81, 3789,
3816-20, 5248-53; B. Newman 5249-50,
5254; Nixon 468-9, 3775; Riddell 219-26;
Roy 5238-40; Sandeman 2618, 5245-8;
Shore 1427, 3500; S. Smith 460-1,
3767-70, 3821-2; Spence 2209; Stephenson
804-7; Villeneuve 263; Wells 3500;
Ziemba 334, 4264-7.

Health centres, community

Edighoffer 4221.

Health costs

Bain 985; Cassidy 1358-9; Duksza 213-8,
3760-2; Grossman 3783-7; Lewis 384-7;
McKeough 1124; F. S. Miller 212-3,
3757-8, 3787-8, 3825; Riddell 219-26;
S. Smith 342-8, 3768, 3822; Sweeney
4475-6; Ziemba 334.

Health councils

Deans 5252; Ferrier 5236.

Health, environmental

F. S. Miller 2787-8, 3774; Nixon 3774-5.

Health hazards

Burr 450, 998, 1225-6, 3387-8; Handleman
592, 1225-6, 3149-50; Kerr 3388-9;
Martel 592; B. Newman 1458;
W. Newman 450; Stephenson 998, 1458,
1848; Williams 1848.

Health insurance (*see* OHIP)

Health/medical facilities

Deans 4844; Duksza 3603, 3609;
Handleman 445-6, 1081; F. S. Miller
3603-9, 4844; J. R. Smith 4251; S. Smith
445-6, 1080, 4251.

Health Ministry personnel

Cunningham 2691; F. S. Miller 2691.

Health, occupational

Angus 4750-2; Bain 879-80, 981-3, 4236-7,
4783-6; Bernier 1255; Bounsall 4656-61,
5636-7, 5643-5, 5650; Breaugh 687-8,
2336-7, 4744-8; Bullbrook 4650-4, 5496-8,
5635-6, 5640, 5642-3, 5645, 5647-8,
5652-3, 5683-4, 5687, 5689, 5692, 5698;
Burr 3809, 4740-1; Campbell 4780;
Conway 3773; Cunningham 4737-8; Davis
1314; Deans 4786-9; di Santo 4731-3;
Drea 4710-3; Duksza 3764, 4703-8;
Ferrier 671, 4738-40; Ferris 4752-3;
Foulds 1061-2; Germa 4721-4, 4729-31,
5602-3; Godfrey 4695-6, 5908-21; Grande

4782-3; Haggerty 4700-3, 5607-8, 5685-6,
5697; Kerrio 4786; Lane 4779-80;
Laughren 202, 880, 917-22, 3833-8,
4642-50, 5495, 5497-8, 5601-2, 5606,
5608-13, 5635, 5638-42, 5645-51, 5653-4,
5683-5, 5687-98, 5921; Lewis 401-5,
878-80, 2317-8, 2574-5, 2791, 3404,
3802-3, 4125, 4460-1, 4713-21, 5383-4;
Mackenzie 1507, 4199, 4385, 4697-700,
5605, 5611, 5686, 6066; Mancini 4661-3,
4694, 5601-2, 5605; Martel 202, 879,
2653, 2970, 3848-50; McClellan 4733-7,
5609-10, 5640, 5645; F. S. Miller 202,
2573-5, 2787-8, 3404, 3758, 3774,
3839-40, 3925; G. I. Miller 4781-2;
B. Newman 4696-7; Nixon 5697; Reid
1313-4, 2322, 2791, 4709-10; Riddell
4748-50; Samis 4753, 4778; Shore 4654-6;
S. Smith 1880-1, 2166, 2318, 2335,
2573-4; 2967, 3768-70, 3925; Stephenson
803-4, 878-80, 1880-1, 2166, 2317-8, 2322,
2535, 2791, 2967-8, 2970, 3802-3, 3809,
4099-101, 4199, 4386, 4460-1, 4789-92,
5383-4, 5603-5, 5607, 5610-4, 5635,
5637-41, 5643-7, 5649, 5683, 5686-7,
5689-94, 5697, 6066; Sweeney 5605-7,
5609, 5612-3; Warner 5604; Wildman
4741-4; Ziemba 4780-1.

Health planning councils

Cunningham 1542-3; Deans 1877, 1542-3;
Ferrier 495-9; Hall 3817-8; Makarchuk
3818-21; Mancini 3850; F. S. Miller 503,
3817-9, 3824-5; S. Smith 654-5, 1542,
3821-2; Stephenson 654-5, 1542-3, 1877;
Swart 537-8.

Health services (*see* Health care/ services)

Health services, French language

Ferrier 5325-6; F. S. Miller 5243-4; Roy
5242-4.

Health studios/clubs

Handleman 1147-8.

Hearings, environmental

Bernier 4631; Davis 4686; Lewis 4631,
4685-6.

Heaton Truck Rentals

S. Smith 4056; Snow 4056.

Heavy water process

Davison 4485.

Hedman Mines Ltd.

Lewis 1079, 1454, 2002, 2071; Stephenson
1079, 1454, 2002.

Herbicides (*see* Pesticides/ herbicides)

Heritage foundation

Bain 2719-20; Campbell 2721-2; Kerrio 2720; Mancini 2721; B. Newman 2718; Samis 2716-8; Welch 2716-22.

Highway construction (*see* Construction, highways/roads)

Highway 400 extension

Campbell 4279; Snow 4279.

Highway passing lanes

Bain 4234; Breithaupt 4125.

Highway/road maintenance

Laughren 5874; Snow 5874-5, 5877; Wildman 5875.

Highway transport board

Angus 5534-5; Breithaupt 5143-6, 5189, 5192; Burr 5592; Cunningham 5409, 5547-8; Davis 5146-7, 5264-5, 5388-90; Deans 5112-4, 5189-90; Drea 5535-8; Gregory 5550-2; Haggerty 5146, 5541-3; Hodgson 5522; Irvine 5263; Lane 5544-7; Lewis 5188-9, 5263, 5388, 5431-4, 5512-3, 5524, 5548-50, 5975; MacDonald 5387, 5543-4; McMurtry 5524; Nixon 5190; Philip 5529-30; Reid 5389, 5401; Sargent 5434, 5533-4; Singer 5552-3; S. Smith 5113-4, 5263-4, 5386-90, 5432-4, 5513, 5523; 5526-9, 5592-4; Snow 5112-4, 5144-6, 5187-92, 5263-4, 5386-8, 5432-5, 5513, 5530-2, 5592-4, 5975; Stong 5521-2, 5538-9; Villeneuve 5540-1; Warner 5521, 5539-40; Wildman 5190-1.

Highways

Snow 2169-70.

Highways, controlled access

Eakins 2538; Snow 2538, 2591, 3310.

Historical sites/buildings

Bain 2718-20; Campbell 2721; Ferrier 2719; B. Newman 2718; Samis 2718; Welch 2718-22.

Hoist motions

Bounsall 6007; Foulds 6005; Moffatt 5452, 5458; Renwick 2811, 2824-5.

Holding tanks (*see* Septic/holding tanks)

Holiday observance (*see* Sunday/holiday observance)

Holloway Productions Inc.

Handleman 3300-1.

Home care services

F. S. Miller 4199-200, 5216, 5247-8; Sandeman 4199, 5246-8.

Home, matrimonial

Bounsall 4820; Givens 4891-2; Renwick 4796; Roy 4943; Singer 4802.

HOME programme

Breithaupt 2792; Cassidy 1316; Deans 599, 1307; Gigantes 862; Lewis 1307; McEwen 1977-8; Rhodes 1304, 1307, 1316, 2792, 2970, 4327.

Homemakers' services

Birch 3731-2; Campbell 605; Martel 2989; McClellan 563; S. Smith 3728; Taylor 620.

Homes for special care

F. S. Miller 2796; R. S. Smith 2796.

Homosexuals (*see* Deviant persons)

Hospital/bed shortage/surplus

Davis 4053-4; Grossman 3927; Kennedy 470-1; Lewis 381, 3928, 4053-4; F. S. Miller 3827, 3919, 3927-8, 5446; B. Newman 3827; Roy 4054; S. Smith 4054; Stephenson 1410-1; Wildman 5446; Yakabuski 1409-11.

Hospital boards

Bain 3795-6, 3816-7; Germa 1543-4, 1849, 2001; Hall 3817-8; Lewis 2000, 2119-20, 2161; MacDonald 2161; Makarchuk 3820-1; Martel 1543, 1656, 1882, 2071, 2162, 2238, 2862, 2978-87; F. S. Miller 3797, 3816-8, 3821; Singer 1656, 2161; S. Smith 2001; Stephenson 1543-4, 1656, 1849, 1882, 2001, 2157-8, 2161-2, 2238; Stong 1848-9.

Hospital costs

Godfrey 1411; McKeough 1124-5; F. S. Miller 448; Shore 448; Stephenson 1411.

Hospital insurance (*see* OHIP)

Hospital interns

Deans 886; Godfrey 6071; F. S. Miller 6071-2; Stephenson 886.

Hospital laundries

Meen 2747; Ziemba 2747.

Hospital planning/studies

Grossman 3927; Lewis 3928; F. S. Miller 3919, 3927-8; Roy 3928.

SUBJECTS—*Continued*

Hospitals, chronic

Bain 3229, 3796-7, 3815, 5254-5, 5442-4; Bounsall 478-84, 5444-6; Conway 837-8, 877; Deans 597; Ferrier 485, 495-9, 5326; Gigantes 2576; Lewis 380-1, 2366; Makarchuk 1258; F. S. Miller 469-70, 483-5, 508, 510-1, 2576-7, 3797-8, 3816, 3819, 5240, 5443-6, 6100; B. Newman 506-11; Nixon 468-70; Roy 2577, 5239-40; Scrivener 3229; Stephenson 837, 1258, 2366; Wiseman 877.

Hospitals, isolation

Godfrey 2530; Lewis 2529-30; Stephenson 2530.

Hospitals, psychiatric/mental

Cassidy 1546; Conway 659; Davis 46, 131-2; Duksza 216-7, 2454, 5149; Ferrier 5234-5; Godfrey 5148; Lawlor 658, 2229; Lewis 46-9, 659, 1079, 1538-9, 2229, 2366, 2453-4; MacDonald 2113-4; Mackenzie 987; Makarchuk 3819-20; F. S. Miller 47-50, 3820-1, 5148-9, 5236-7, 5449; Moffatt 5449; Riddell 47-9, 131, 222-3; Roy 1539, 1545-6, 1693; G. E. Smith 1158; R. S. Smith 420, 3691-2; S. Smith 3822; Stephenson 658, 987, 1097, 1158, 1539-40, 1545-6, 1837-8, 1885-6, 2113-4, 2167, 2227, 2229-30, 2366, 2453-4; Stong 2167; Taylor 3694-5.

Hospitals/services

Bain 3795-7, 5254-5; Birch 3226-7; Cassidy 3303; Deans 3226-7, 5251-3, 5354, 5516; Duksza 215-8; Ferrier 5236; Foulds 5270; Godfrey 1736; Handleman 676-7; Kennedy 470-1, 1624, 5448-9; Lewis 2002, 3303; McEwen 1992-5; F. S. Miller 212-3, 226-35, 254, 448, 3303, 4694, 5215, 5237-8, 5240-2, 5251-3, 5270, 5440, 5448-9, 5516, 6100. Moffatt 4693-4, 5449-50; Nixon 6100; O'Neil 1884-5; Philip 5440; Riddell 219-26; Roy 1693, 5238-40; Ruston 898-9, Sandeman 2002, 5245; Shore 448; S. Smith 254, 832, 882; Stephenson 805-6, 832, 882, 1736, 1837-8, 1885, 2002; Williams 1749.

Hospitals shutdown case

Bullbrook 2160; Davis 2077-8, 2159-60, 2165-6, 2229; Grossman 2167; Lewis 2077, 2108-10, 2159-60, 2166, 2229, 5261; McMurtry 5262; F. S. Miller 5261; Nixon 2159; Roy 2110; Singer 2109, 2166; S. Smith 2109, 2164-6; Stephenson 2108-10, 2157, 2159-60.

Hospitals, shutdown/cutbacks

Angus 737-8; Bounsall 478-84, 5444-6; Breaugh 693-5; Breithaupt 1407; Bryden 471-2, 1325, 1327; Bullbrook 3805; Campbell 932; Cassidy 256, 1039-40; Conway 718, 722-3, 3773; Cunningham

655, 748, 855-6, 1403, 1460-1, 2845; Davidson 1411, 2203-4; Davis 46, 131-2, 543, 587-91, 657, 661, 1255-7, 1314, 1648-9, 1657-8, 2077-8, 2237-8, 3804-5, 4053-4; Deans 596-9, 654, 663-4, 748-9, 828-30, 1223, 1402-3, 1461, 1542; di Santo 426-9; Duksza 214-8, 3760-2; Eakins 659-60, 815, 2555-6; Ferrier 485, 495-501, 666, 669; Foulds 1059; Gaunt 830, 1006, 1259; Germa 1403, 2637; Givens 201; Godfrey 748, 2113, 3790; Grande 431-6; Grossman 200-1, 255-6, 270-5, 512-20, 1268, 1544, 1777-8, 1939, 2004, 2112-3, 2649, 3782-7; Kerrio 2899-900, 3828; Lewis 46-9, 197-9, 201, 375-83, 529, 586-7, 654-5, 745, 959, 1257-8, 1308-9, 1538-9, 1648, 1657, 1841, 2001, 2077, 2317, 2538, 3805, 4053-4; Mackenzie 1508; Makarchuk 1258; McCague 2854; McClellan 1259; McEwen 1984, 1992-3; McKessock 199, 429-31, 799, 1309, 3829-30; F. S. Miller 47-50, 197-9, 226-35, 255-6, 351, 428, 431, 469-70, 476-8, 483-5, 503-4, 510-1, 2649, 3757, 3777, 3787-9, 3795, 3830, 3912, 5216, 5444-6; G. I. Miller 2330; B. Newman 506-11, 3827, 5248-9, 5253-4, 5444, 5446; Nixon 199, 436, 467-9, 590, 761-2, 959, 987, 2113, 3775-6, 3804-5; O'Neil 1087; Riddell 47-9, 131, 219-26, 661, 1258, 1309, 3793-5; Roy 48-9, 1539, 1545-6, 4054; Samis 2553; Sandeman 967-71; Sargent 198, 472-8, 590, 656-7, 960, 2237-8, 3912; Shore 961-2, 1427-8; Singer 1649; J. R. Smith 2560; S. Smith 197-201, 351, 460-1, 588-90, 654-5, 829, 1258-9, 1308-9, 3767, 3821-2. Spence 2209; Stephenson 654-5, 660, 745, 748-9, 828-30, 959-62, 987, 1087, 1223-4, 1257-9, 1268, 1308-9, 1402-3, 1407, 1411-2, 1461, 1539-40, 1542-3, 1545-6, 1657, 1777-8, 1841, 1939, 2001-2, 2004-5, 2112-3, 2317, 2537-8; Swart 353, 537-8, 811-2, 1411-2; Villeneuve 263; Wildman 1028, 5446; Yakabuski 3805-6; Ziemba 334.

Hospitals, teaching

Duksza 1736; Lewis 2001; Stephenson 1736.

Hotels/motels

Meen 2966-7, 3406; S. Smith 2966-7, 3406.

Hours of business (*see* Business hours/days)

Hours of work

Bounsall 3100; Burr 844-7, 4175; di Santo 1881; B. Newman 973-6, 3502, 4696-7; Stephenson 1881.

Housing

Breaugh 2306-7, 2337-8; Gregory 731; Haggerty 5319-20; Mackenzie 1508;

McEwen 1520-2; Rhodes 1064; Roy 4934; Sweeney 4481.

Housing Action Programme

Rhodes 1064.

Housing, apartment

Foulds 5980; Good 1595-6; Handleman 5980; Meen 1596; Rhodes 4394-5; S. Smith 4394.

Housing authorities

Cassidy 536; Eakins 536; B. Newman 1408-9; Rhodes 536, 1408-9; J. R. Smith 3617-8.

Housing, condominium

Cassidy 1458, 4468, 4530-2, 5292, 5595; Cunningham 4532; Deans 1001-2; Drea 4856-7, 5634; Gigantes 863, 4496; Gregory 4527-30; Hall 4526-7; Handleman 1001-2, 4459, 4468-9, 4496-7; Leluk 1458, 1462, 4521-4, 4885; Meen 1458, 5595, 5634; Philip 787, 4469, 4497, 4524-6; Rhodes 1065, 1305, 5292; Roy 4496; S. Smith 5595.

Housing Corporation, Ontario

Angus 759-60; Breithaupt 2076-7; Bullbrook 328, 3146; Campbell 5981; Cassidy 1409, 2077, 2391, 2404, 5371; Davis 2461; Germa 1235; Gigantes 1409; Lewis 2076; McMurtry 2076-7; B. Newman 1408-9; Rhodes 1080, 1155-6, 1408-9, 3089-90, 4394, 5341, 5981; Roy 1941-2; Sargent 2460-1, 5340; S. Smith 1080, 3089-90, 3146; Swart 4639.

Housing, government rental

Riddell 1726; Scrivener 368, 531; Wildman 365, 369.

Housing, institution-owned

Bounsall 2402-3; Cassidy 2399, 2462; Handleman 2398-9; Renwick 2428-9; Wells 3645-6.

Housing/land prices

Davis 444; Deans 5357-8, 5877; Edighoffer 4219; Haggerty 5319-20; Lewis 443, 5154-5; Makarchuk 4620-1; McEwen 1526-7, 1977-9; Rhodes 5340-1, 5876-7; S. Smith 5339-41, 5876-7.

Housing, limited dividend

Bounsall 1728-9, 2406; Bryden 1943; Cassidy 1714-5, 2390, 2404, 2462; Drea 1947-8; Good 1732; Handleman 1952-3, 2390, 2398-9, 2406-7; McClellan 1723; Renwick 1948, 2407; Roy 1941; Sandeman 1725-6; S. Smith 1720; Sweeney 1945.

Housing, low-cost

Cassidy 4326-7, 5371; Rhodes 4327; Singer 4327.

Housing, mobile

Bounsall 2408; Bryden 1944; Cassidy 2408, 4336; Edighoffer 1272, 1431; Good 1396, 1733, 2408, 2594, 4513, 5205-6, 5210-1; Handleman 1710, 1953, 2408-9; Lawlor 2593; Meen 1395-7, 1431, 1604, 1658-60, 1788-9; B. Newman 1396, 1604, 1658, 5317; Norton 4515, 5209-11; Reid 1659-60; Renwick 1272, 1396; Rhodes 1705, 2594, 4352; Ruston 5210; Stokes 2595; Swart 4510-1, 5203-5, 5209, 5211-2; Wildman 1733-4, 1788-9, 5206-9, 5211.

Housing, prefabricated/modular

Drea 4850-4; Meen 1395-7, 1431; B. Newman 1396; Renwick 1396.

Housing programmes, federal

Rhodes 1217-8.

Housing, public

Bounsall 1729-31; Bryden 1943, 4640; Cassidy 1711-9, 2390-1, 2404, 2462-3; Good 1732, 2404-5; Handleman 1538, 1711, 1954-5, 2390, 2392, 2405-6; Lewis 1538; Mackenzie 1509; McClellan 1723; B. Newman 1952; Renwick 1948-52, 2392, 2407; Rhodes 4640; Roy 1941-2; Shore 1945; S. Smith 1719-22; Sweeney 1946-7; Warner 1726; Worton 1952.

Housing renewal programmes

Bain 5295-6; Cassidy 5282-4, 5290-4; Conway 5294; Good 5287-8; Grande 2689; Hall 2596, 5284, 5288-9; Makarchuk 5286-7; Mancini 5296-7; B. Newman 5289-90; Rhodes 2595-6, 2689-90, 5282, 5285-97.

Housing, rental

Cassidy 5359-72, 5594; Givens 1088, 1850, Rhodes 1088, 1614-6, 1706, 1850, 2595, 5594; Singer 1616; S. Smith 1614-6, 5594.

Housing, senior citizens

Angus 759-60; Bain 5255; Bounsall 2406; Bryden 1943-4, 2407; Deans 3150, 5354; Haggerty 5250-1; Kerrio 1937; Lane 1023-4; McClellan 558, 562; B. Newman 5167-8; Renwick 2407; Rhodes 1837, 1937-8, 3150; Singer 1937-8; Sweeney 1946-7.

Housing shortage

Gigantes 862; Wildman 1029.

Housing starts

Lewis 1615; McKeough 5115-7; Peterson 5566-7; Rhodes 1065, 1614-6,

SUBJECTS—*Continued*

4326; Shore 1428, 1615; S. Smith 1614, 4326, 5115-7.

Housing, students

Bounsall 2402-3, 2424-5; Cassidy 2403, 2462; Drea 2423-4; Good 1731-2, 2399, 2419-20; Handleman 1955, 2400-1, 2403, 2419-20, 2423, 2425-6, 2430; Parrott 2516; Renwick 2419, 2424, 2427-31; Shore 2421; Sweeney 1946, 2402, 2422-3, 2426, 2429-30; Warner 2399-401, 2403, 2421-2, 2429-30, 2506, 4164-5.

Housing, substandard

Cunningham 2840-1, 3240-1; Deans 3246-50, 3473-4, 3478, 3481-2; Drea 3243-5, 3640-1; Hall 3275-6, 3641; Handleman 2736, 3237-8, 3277-9; 3477-8, 3481; Makarchuk 3274-5; Martel 3475-7; Moffatt 895-7, 3238-40, 3477; B. Newman 3251; Philip 787-8; Renwick 3251, 3269-73, 3480-1, 3640; Shore 3273-4; Sweeney 3250-1.

Human rights code/commission

Bounsall 2011, 2032-3; Campbell 2030-1; Grossman 2031-2; Reed 2033-4; Renwick 2035-7; Williams 2034-5.

Hunting/trapping

McKessock 799; B. Newman 5313-4.

Huronian Regional Centre

Campbell 1311; Eakins 2116; Lewis 2572; McClellan 1311, 5217-8, 5268, 5499; F. S. Miller 5268, 5500; G. E. Smith 1158, 1311, 5026; S. Smith 1310, 4277-8; Stephenson 1158; Stong 754; Taylor 754, 1310-2, 2116-7, 2572, 4277-8, 4867-8, 5026.

Hydro buildings

Nixon 6070; Timbrell 6070.

Hydro commissions (*see* Public utilities commissions)

Hydro construction

Timbrell 4557, 4583.

Hydro corridors

Bullbrook 2606; Cassidy 2599-600; Davis 2323; Good 2599; Lawlor 2601-2; Lewis 2323; Reed 2222-3, 2323, 3585; Renwick 2598-602, 2605-6; Rhodes 2598-604; Stong 2602-3; Timbrell 2323.

Hydro exports /imports

Haggerty 4579; Kerr 832-3; Roy 833; S. Smith 832-3; Timbrell 4585, 4587.

Hydro generating stations

Bounsall 959; Burr 332-3; Davison 4484-5; Germa 959; Gigantes 4290, 4559, 5262, 5520, 5706; Haggerty 3587-8; Kerr 5596; Lane 4565, 5517; Lewis 5704-7; Moffatt 5596; B. Newman 333; Nixon 958, 4303-4; Reed 4287, 4564-5, 5706, 5866-7; Sargent 450, 1000, 4299; S. Smith 5513, 5628, 5705, 5872; Timbrell 332-3, 450-1, 955, 958-8, 1000, 1084, 5513, 5517, 5519-21, 5628, 5705-7, 5865-6, 5872; Wildman 5517.

Hydro, industrial

Davis 5597-8; Kerrio 5597-8, 5632; MacDonald 5598; Timbrell 5631-2.

Hydro, northern

Stokes 5969; Timbrell 5967-9.

Hydro, Ontario

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Hydro power/lines

Lawlor 2601-2; B. Newman 5315-6; Renwick 2598-602, 2605-6; Rhodes 2598-604; Ruston 901; Stong 2602-3.

Hydro rates

Bain 4233-5; Bryden 4315-6; Cunningham 4316-7; Deans 4297-9, 5626; Drea 4288-9, 4310-1; Eakins 4575; Gigantes 3584, 4290, 4311-2, 4558-62; Grossman 4294-7, 4313-5; Haggerty 4578-9; Lewis 5024; MacDonald 260, 1161, 3578, 4284-7, 5024, 5598, 5627; Mancini 4300-1; B. Newman 4301-2, 5627; Nixon 4302-4, 5627; Peterson 1161, 4292-4, 4570, 5024; Reed 4287, 4312-3, 4562; Ruston 4239-40, 4245; Sargent 2653, 4299, 4306-10; S. Smith 2533-4, 4195; Timbrell 260, 665, 1161-2, 4195, 4261-2, 4304-6, 4393-4, 4553-8, 5024, 5626-7, 5631-2.

Hydro shortage/surplus

Davis 5597-8; Gigantes 5520; Grossman 265; Haggerty 5520; Irvine 5347; Kerrio 5521, 5597-8, 5632; Lewis 5262; MacDonald 3578-9, 5520; B. Newman 5347, 5519; S. Smith 2533-4; Timbrell 2533-4, 5261-2, 5519-21, 5631-2.

Ice storms

McKeough 996; Ruston 4498-9; Snow 4499, 4547-8; Spence 996.

Immigrants

Grande 2952; Martel 3502.

Immunization/vaccine

Breithaupt 1843; Burr 5120; Deans 830-1, 1877-8; Gigantes 1843; Johnson 4403; Kennedy 2168, 2793-4; Makarchuk 1843; F. S. Miller 2793-4, 4403-4, 4603, 5120, 5216-7; S. Smith 831, 1842-3, 1934, 2112; Stephenson 830-1, 1843-4, 1877-8, 1934, 2112, 2168; Williams 4602-3.

Impaired drivers (*see* Drivers, drinking/impaired)

Imports

McKeough 1312-3; Reid 1222, 1313.

Imports, food

W. Newman 910.

Imports, milk

MacDonald 5632-3; W. Newman 5632-3.

Imports, textiles

Bennett 1875-6, 3489-90.

Incentives, industries

Bennett 842-3; Bryden 5563; McKeough 5579-80.

Income distribution

Germa 2637-8, 2833; Makarchuk 2254; McCague 2857; McClellan 3173; McKeough 2254.

Income groups, low

McKessock 799-800.

Income, guaranteed

Bain 1841, 1849; Breithaupt 1279; Bryden 2142; di Santo 2141-2; Edighoffer 1276, 1558-60, 2174-5; Good 1279, 2145; Grande 1602, 1661, 2138-9; Haggerty 2143-4; Lewis 1840; Martel 1276-7; McClellan 556, 1275-6, 2138, 2140; McKeough 1122, 1535-6; Meen 827-8, 1279-80, 1602, 1661, 1840-1, 1849,

2137-41, 2143-5, 2174-5; Moffatt 2145; B. Newman 1601-2, 1840-1; Nixon 2139-40, 2142; Renwick 1277-8, 2144, 2241; Sandeman 621; R. S. Smith 2972-3, 3175; S. Smith 1456, 1541-2; Swart 633-4; Sweeney 2143; Taylor 556, 623, 1456-7, 2972-3, 3181; Warner 2137.

Income supplement

S. Smith 3305; Taylor 3305-6.

Indian associations/organizations

Laughren 1617; MacBeth 1617, 1779.

Indian bands/people

Bernier 2737-9; Birch 3724; Brunelle 2738-40, 2965, 3093, 4250; Campbell 2767-8; Davis 2874, 3086-7, 4190-1, 4250; Lane 1025; Laughren 1617; Lewis 2737-40; 2760-4, 2874, 2965, 3086-7, 3093, 4190-1, 4250, 5157; MacBeth 1617, 1779; McClellan 2766-7, 3719-20; McMurtry 1536-7; Meen 1599-600; Nixon 3086-7; Welch 2740, 2764-5; Wildman 1599-600.

Indian burial grounds

Breithaupt 4837; Handleman 4837.

Indian community development

Brunelle 248-9; Kerrio 2759; Lewis 248-9, 2760-4; McClellan 2766-7; Welch 2759, 2764-5.

Indian employment/unemployment

Brunelle 2738-40; Davis 4765; Irvine 4765, 5191; Lewis 2739-40, 4765, 5191.

Indian land claims

Bernier 2876-7; Lewis 2876; Renwick 2876; Sargent 2876; R. S. Smith 2877.

Indian lands/reservations

Bernier 4283; Sargent 4283.

Indian languages

Wildman 3027-8.

Indian people (*see* Indian bands/people)

Indian police/policing

Lewis 3222, 3408; MacBeth 3222, 3408; S. Smith 3223.

Indian schools/education

Wells 3029-30; Wildman 3027-30.

Indian teachers/students

Wells 3029-30; Wildman 3028-30.

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Indian women

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Industrial development (*see* Development, industrial)

Industrial health (*see* Health, occupational)

Industries, foreign/control

Bennett 819-20; di Santo 1973; Good 5456.

Industries, new

Bennett 819.

Industries, relocation of

Bennett 4551; Mackenzie 5281;
McKessock 4546, 4551.

Industries, secondary

Lane 1024, 2186; McKeough 1130;
Wildman 2219-20.

Industries, shutdown

Bennett 2744, 3497-8; Samis 2743-4;
Sargent 3497-8.

Infectious diseases

Dukszta 3146, 3609, 3762-3; Godfrey 2530, 2686; Lewis 2529-30; F. S. Miller 2686-9, 3609; Stephenson 2530.

Inflation programme, federal

Angus 734; Auld 1799-800, 1808, 1823; Bounsall 3961-7; Breaugh 688-9, 3983-5; Bryden 60, 4002-5; Bullbrook 77-80, 202-4, 533-4, 1798-800, 1805-9, 4028-31; Campbell 4001-2; Conway 723-5, 3985-7; Cunningham 1822-3; Davis 50, 203-4, 3903-4, 4038-45, 6054; Deans 3946-51; di Santo 1858-60; Drea 3991 4001; Good 4017-8; Grossman 269-70; Haggerty 4009-11; Kennedy 1034; Lawlor 3977-81; Lewis 45-6, 529, 3903, 4031-8; Mackenzie 4018-22; Makarchuk 2261-2; McCague 2853; McKeough 529, 533, 2239, 2262, 3956-61; McMurtry 247-8, 3093, 3914, 4022-7; Nixon 46, 50-1, 4013-7; Peterson 3987-9; Renwick 3093, 3930-7; Roy 89-90, 3967-9, 3975-7; Samis 2544; Sandeman 3990-1; Shore 4011-3; Singer 45, 50, 84-8, 204, 3951-6; S. Smith 3937-42; Stephenson 3943-6; Sweeney 3981-3; Welch 45-6; Williams 1754.

Inflation programme, provincial

Auld 1815, 1817; Birch 978-81; Bullbrook 2248; Cunningham 852; Davis 553, 4869-70; Gaunt 1005; Johnson 1015;

Kennedy 1034-7; Makarchuk 1815; Martel 2993-4; McCague 2853; McKeough 1120, 1126-8, 2250, 2254-5, 2262, 4920; Meen 941; Reed 2222; Renwick 1565; Shore 2250, 2254-7, 2262; R. S. Smith 2624, 2633; Stephenson 3944; Williams 856-7, 1742-63.

Information service, agricultural

W. Newman 911.

Information services, government

Jones 3045-7; Lewis 2571-2; MacDonald 2572, 3041-3; B. Newman 3684-6; Renwick 3047-9; Shore 2024; Singer 3049-51; S. Smith 2572, 3043-5; Taylor 2571-2, 3685-6.

Inquests (*see* Coroners/inquests)

Inquiry, Lakeshore hospital

Lawlor 2229; Lewis 2229, 2366;
Stephenson 2227, 2229-30, 2366.

Inquiry, Reed Paper Co.

Cassidy 5590; Davis 5587-90, 5592; Deans 5589-90, 5592; Renwick 5590.

Inspection, building

Cunningham 3703; Deans 1307, 1402, 3246-50, 3642-3; Drea 3643, 3703; Gaunt 2997-9; Handleman 1402; Lewis 1307, 3801; McKessock 3390-1; Renwick 3642-4, 3703; Rhodes 1304, 1307; Stephenson 3391, 3799-802.

Inspection, health

Lewis 2574-5; F. S. Miller 2573-5;
S. Smith 2573-4, 3769-70.

Inspection, labour

Lewis 2791; Reid 2791; Stephenson 2791.

Inspection, livestock

MacDonald 3131; W. Newman 2583,
3172-3; Riddell 3131-2.

Inspection, mining

Bain 4544; Bernier 4544; Bounsall 5637, 5643-4; Deans 4787; Ferrier 4739-40; Germa 4729-31; Laughren 5641-2, 5646; Stephenson 5637-8.

Inspection, safety

Auld 5875; Bounsall 4658-61, 5875;
di Santo 2167; Drea 4711-2; Laughren 5694-6, 5875; Mackenzie 4699; Reid 4709-10; Stephenson 2167, 4792, 5695.

Institute for Studies in Education

Bullbrook 2943-5; Nixon 2940-2; Parrott 2671; Sweeney 2668-9; Wells 2941-2, 2945-6.

Insulation

Edighoffer 1272; Haggerty 1273-4; Meen 1274.

Insurance agents

Handleman 367, 592; B. Newman 367.

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Insurance, motor vehicle)

Insurance companies

Handleman 367; Meen 2133-5; Renwick 2133-4; Young 367.

Insurance, crop

Philip 5071.

Insurance, fire

Handleman 530; Lewis 529-30.

Insurance, motor vehicle

Breithaupt 3571, 3811, 4506-7; Cunningham 4504; Davis 363-4; Deans 363; Drea 776-8; Grande 4509-10; Handleman 3007-8, 3567, 3571, 3811, 4184, 4200-1, 4507-10, 4604-5, 5195, 5259; Jones 2213-4; Lewis 2965, 3007-8, 4504-5; Martel 2977; B. Newman 4505-6; O'Neil 4604-5; Peterson 3810-1; Reid 4200; Renwick 4504; Roy 884; S. Smith 3007; Snow 884; Swart 601, 811; Young 5274-5.

Insurance rates/premiums

Bryden 2134; Cunningham 4504; Davis 363-4; Deans 363, 1697-8; Handleman 1697-8, 1935-6, 2375; McKeough 1534-5; Meen 2133-5; Renwick 2134, 4504; Singer 364, 1698; Spence 2374-5.

Integration, ethnic/cultural

Grande 2756; Welch 2757.

Interest/rates

Hall 2596; Handleman 4249; McEwen 1520-1; McKeough 2283-4, 2295; Meen 1791; Nixon 2283-6; Renwick 1790, 3077; Rhodes 2595; Shore 2295.

Interflow Systems

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International Nickel Co.

Bernier 2006; Breithaupt 4544; Germa 2837-40; MacBeth 4876-7, 4938; Martel 1675-7, 2006; S. Smith 4876; Stephenson 4544.

Interpreters (*see* Translators/interpreters)

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Angus 4873; Bain 5132; Bernier 4918, 5122-3, 5133; Conway 4873, 5127-30; Deans 4873; Ferrier 4873; Laughren 5125-7; Maeck 5132-3; McKeough 4870-3; Reid 4873; Rhodes 5130-2.

Jails (*see* Detention centres, adult)

James Bay development

Haggerty 4580; Renwick 4566-7; Timbrell 4586-7.

James Bay Educational Centre

Foulds 2936-7; McClellan 2938; R. S. Smith 2939-40; Sweeney 2937; Wells 2936-40; Wildman 2939.

Janitorial services

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Jones, Tom and Sons Ltd.

Angus 2690; Bennett 2691.

Judges

Lawlor 1242; McMurtry 211; Sweeney 4479-80.

Judges, family court, unified

McMurtry 5622-3; Renwick 5878-9; Roy 5881-2.

Judges, juvenile/family court

Campbell 4325; Lewis 4324-5; J. R. Smith 4325.

Judges, provincial/county/district

Gigantes 4772; Lawlor 1238-40; Lewis 4835-6; MacBeth 4836; MacDonald 4836; McMurtry 211, 890, 1237-8, 1241-2, 4836, 4949; Renwick 4836; Roy 4945; Ruston 900; Singer 1240-2.

Judges, supernumerary

Breithaupt 1365; Lawlor 1238-40; McMurtry 211, 1237-8, 1241-2, 1365; Roy 1365; Singer 1240-2.

Judges, supreme/high court

McMurtry 5634, 5886; Renwick 5886; Roy 5886.

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Justices of the peace

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Juvenile offenders (*see* Offenders, young)

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Kerr 1705, 3017-8; Lupusella 1704-5, 3017-8.

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Krauss-Maffei

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Bain 985; Burr 423, 425, 5250; Davis 542; Deans 1880, 1932; Duksza 214-7, 3761; Ferrier 420-2; Godfrey 3789-92; Kerrio 3828; Lewis 195-6, 235-9, 326, 384, 445, 529, 1451-2, 1611, 1649, 1931-3, 1956-65, 2571, 5868; Mackenzie 1933, 1936; Makarchuk 422-3; McMurtry 445, 1451-2, 1541, 1649, 1931-2; F. S. Miller 195-7, 326-7, 340-1, 350-2, 365, 414-5, 419-23,

2571, 2787, 3758-9, 3782, 3792-3, 3828-9, 5249-50, 5868; B. Newman 5249-50; Roy 1932; Singer 445; R. S. Smith 415-20; S. Smith 196, 342-5, 365, 995, 1541, 1612, 1657, 1879-80, 1931-3, 1965-6, 3768; Stephenson 659, 995, 1549, 1611-2, 1656-7, 1880, 1933, 1936; Swart 327, 352-6, 413-4, 659, 812; Ziembra 196, 335-40, 4267.

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Land severances

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Land speculators

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Angus 2922, 3892; Breithaupt 2078-9; Davis 3495-6; Handleman 2078-9, 2239, 2922-5, 3892, 5627-8; Nixon 4616; Samis 4885; S. Smith 3495-6, 5627-8.

Liquor boards

Auld 1808-9; Bounsall 1878; Bullbrook 1805-9, 1878, 1886, 2248; Deans 1878; Eakins 2557-8; Handleman 987, 1878; McKeough 2248; McMurtry 1886; Nixon 762-7, 4614-6; S. Smith 1878; Ziemba 987.

Livestock

Burr 4217; MacDonald 3131; W. Newman 3132-3; Riddell 3131-2.

Loan companies (*see* Trust/loan companies)

Loans, co-operatives

W. Newman 748; Williams 748.

Loans/grants, book publishers

Campbell 2753; Samis 2724; Welch 2724, 2754.

Loans/grants, drainage

Cassidy 3893; G. I. Miller 2330-1; W. Newman 888, 906, 1548-9, 2169, 2963, 3893, 5015; Riddell 887-8, 1548, 2169, Ruston 904.

Loans/grants, education/academic

Conway 663; Deans 5111; B. Newman 2664; Parrott 2659, 2664; Sweeney 2656, 2659; Wells 5111-2.

Loans/grants, farmers

Deans 1698; Gaunt 1699, 2742, 2995; Haggerty 1227; MacDonald 1408, 2115-6; Makarchuk 1227; G. I. Miller 2333; W. Newman 908-9, 1227-8, 1408, 1698-9, 1839-40, 2115-6, 2742-3, 3150, 4882; Riddell 1227, 3150; Sandeman 4882.

Loans/grants, industries

Angus 3854, 3888; Bennett 3854, 3888.

Loans/grants, municipalities

Bryden 1323-4, 1327, 2265-6, 2282, 4930-1; Conway 1636-7; Davidson 2204; Davis 55; di Santo 1859; Eakins 2556; Good 2291-3; Lewis 2268-70; McKeough 1123, 1155, 2265-8, 2293, 2490-1, 4924-5, 4931; B. Newman 5162-5, 5311; Nixon 1155; Samis 2551; Shore 1683, 2022-3, 2267-8; Spence 2208; Swart 54-5, 2014-8, 2021, 2488-9.

Loans/grants, school boards

Auld 1455-6, 1532-3; Breithaupt 531; Conway 3035-6; Davidson 2204; Deans 591; Ferris 2933-4, 3058, 4152; Foulds 2163, 3057-60, 3073; Lewis 1455-6, 2162-3; Makarchuk 2942-3; McKeough 1123; Moffatt 2803-4; Shore 1423, 1425-6; R. S. Smith 2634; S. Smith 591, 1454; Sweeney 3059; Wells 531, 591-2, 1454, 2163, 2808, 2906, 2943, 2948-9, 3035-6, 3057-9, 3073, 4152; Wildman 2948-9.

Loans/grants, students

Bain 4235-6, 4688; Bounsall 2523; B. Newman 2664; Parrott 2516, 2664, 4552, 4687-8, 5012, 5437-8; Shore 5437-8; S. Smith 4551-2, 4687; Sweeney 2512-3; Warner 2503-4, 2506, 4166-8, 5438.

Loansharks

Handleman 4249, 5429; MacBeth 5439.

Local option

Drea 769, 772-4; Handleman 3806-7; Nixon 765-7, 3806-7.

Lockouts (*see* Strikes/lockouts)

Logging/lumbering

Bernier 1609; Lewis 1609; Reid 1610.

Loto-Canada

Samis 2701; Welch 2107-8.

Lotteries/bingos

B. Newman 2084, Welch 2084.

Lotteries, OHC

Cassidy 3125, Rhodes 3125.

Lottery, Olympic

Samis 2083, R. S. Smith 2893; Welch 2083-4, 2893.

Lottery, Ontario

Angus 2713-4; Birch 5979-80; Bryden 2769, 2901-2, 4257-8, 5980; Burr 212;

SUBJECTS—*Continued*

Campbell 2904-5; Cunningham 854, 1770; Davis 4055-6; Handleman 1848; Kerrio 2704-5, 2899-901; Lewis 1770, 4055; McEwen 1990; McMurtry 1770; Peterson 1848; Roy 4055, 4258, 5980; Ruston 4240; Samis 1779, 1848, 2698-704, 2749, 2893-7; R. S. Smith 2902-4; S. Smith 5979; Welch 1779, 2706-8, 2711-3, 2716, 2749, 2894-905, 4258-60.

Lottery ticket distributors

Samis 2894-6; Welch 2894-7.

Lottery winners

Lewis 2971; B. Newman 2971; S. Smith 2971; Taylor 2971-2.

Low-income groups (*see* Income groups, low)

Lumbering (*see* Logging/lumbering)

Lummus Co.

Sargent 450; Timbrell 450.

MacDonald, W. Ross

Davis 2729-30; MacDonald 2729-30; Nixon 2730.

Machinery, production

Angus 4676; Bryden 5559-64, 5599-600; Deans 5576-8; di Santo 5569-71; Edighoffer 5571-2; McKeough 4676, 4926-7, 5578-81, 5599; Peterson 5564-9; Roy 5575-6; Swart 5572-5.

Mafia (*see* Crime, organized)

Magazines (*see* News media/periodicals)

Magnesium hydride

B. Newman 449-50; Timbrell 449-50.

Management board (*see* Cabinet/management board)

Manpower services, provincial

Deans 4594-5; McClellan 3173-4; Stephenson 4594-5; Taylor 3182-3.

Manpower Temporary Services

Breaugh 4881; Stephenson 4881.

Marinas

McKessock 800.

Marketing board, farm products (*see* Farm Products Marketing Board)

Marketing boards, commodity

Gaunt 1366; MacDonald 1106; W. Newman 209, 908-9, 1107-8, 1365-6; Renwick 1106-7, 1365-6; Riddell 1106, 1365-6.

Marketing, fruit/vegetable

MacDonald 2373-4; W. Newman 2374; Peterson 2374.

Marketing, livestock

W. Newman 3132-3; Riddell 3131-2.

Marketing, poultry/eggs

W. Newman 1846-7; S. Smith 1846-7.

Marketing, vegetable (*see* Marketing, fruit/vegetable)

Marriage contracts

Bryden 4894; Cassidy 4823, 4826-7; Givens 4889, 4992; McMurtry 4949-52, 4955; Roy 4943-4; Sandeman 4813-4; Singer 4950; Sweeney 4896.

Marriages

Bounsall 4817-9; Bryden 4892-3; Cassidy 4821-7, 4960-1; McMurtry 4593, 4958-9, 4961-2; Renwick 4794-5, 4959; Roy 4959; Sandeman 4803-5, 4811-4; Singer 4800-1, 4961; Sweeney 4896.

Marriages, common-law

Bounsall 4820; Bryden 4895; Cassidy 4822-3, 4826-7; Givens 4890-1; McMurtry 4103, 4792-3, 4950, 4955-7; Nixon 4946; Renwick 4793-4; Roy 4941-2, 4945-6; Singer 4801, 4961; Sweeney 4897-8.

McNeill, Don

MacBeth 2877, 3091-2; S. Smith 2877.

Meat packers (*see* Food processors/products)

Mechanization (*see* Automation/mechanization)

Media studio, Queen's Park

Lewis 1257; Scrivener 1257.

Mediation (*see* Conciliation/mediation)

Medical equipment

Dukszta 3603, 3609; Godfrey 1736; McMurtry 964; F. S. Miller 3603-9; Stephenson 1736; Warner 963-4.

Medical facilities (*see* **Health/medical facilities**)

Medical records/data

Breaugh 962, 1082-3; Handleman 1454; Lewis 962; MacBeth 962-3, 1082-3; MacDonald 962; B. Newman 754; Reid 1454; S. Smith 1454; Stephenson 1771.

Medina Natural Gas Co.

Peterson 4692; Timbrell 4692-3.

Members' ethics/misconduct

Davis 5348-9, 6059-60; Grossman 5873; Lewis 5349, 5987; Reid 4833-4; Singer 4834; Ziembra 5987-8.

Members, lists of

184, 4140, 6176.

Members'/ministers' indemnity/allowance

Grossman 3656-7; Martel 2975-7; Welch 3502.

Members'/ministers' pensions

Roy 1459, 1546-7; Scrivener 1459, 1546.

Members'/ministers' tours

Bryden 2025, 2780; Ferrier 5278; Kennedy 5277; McKeough 2029, 2780-1; Nixon 5276, 5278.

Members, naming of

4775.

Memorial societies

Bounsall 5464-7; Ferrier 5469; Foulds 5459-62; Germa 5467; Good 5457-8; Grande 5481-2; Moffatt 5451; Wiseman 5483.

Mental health centres/clinics

Breithaupt 2791; Campbell 1311; Eakins 2116; Ferrier 668-9, 5234-5; Haggerty 3830-1; Lewis 2572, 5707; McClellan 1311; McMurtry 4118-9; F. S. Miller 2791, 3831, 5707; Singer 4118-9; G. E. Smith 1158, 1311; S. Smith 1310, 4277-8, 4493-4; Stephenson 1158; Stong 754; Taylor 754, 1310-2, 2116-7, 2572, 4277-8, 4494, 4867-8.

Mental health community treatment

F. S. Miller 5704.

Mental health/illness

Singer 4974.

Mental hospitals (*see* **Hospitals, psychiatric/mental**)

Mercury poisoning

Angus 3141; Bain 2579, 3141; Bennett 5341; Bernier 2739, 5341-2; Brunelle 3662-4; Deans 3490, 3493-4; Foulds 329-30; Kerr 2579-80, 5263, 5984; Laughren 3839; Lewis 2738, 2763, 2788-9, 3141, 3662-4, 5263; MacBeth 3141; McClellan 2766; F. S. Miller 329-30, 2788-9, 3090, 3141, 3493-4, 3798, 3841-2; Nixon 3663-4; Reid 3494, 5342; Singer 2579; S. Smith 329-30, 1772-3, 3090, 3663, 5341; Stephenson 1772-3; Wildman 5984.

Mergers/takeovers

Bennett 820, 4618-20, 4874-5; Deans 4874; S. Smith 4874.

Metric system

Handleman 2745; MacDonald 2744-5; Scrivener 3145; S. Smith 3145.

Metro Toronto/council

Campbell 2483, 3077-81; Good 3101, 3104-5; Haggerty 3106-7; McKeough 1413-4, 2484; Norton 3076-80, 3102-5, 4518; Renwick 3076-7, 3080, 3102, 3105; Shore 3105-7; Stong 3101-2; Swart 3076, 3080, 3101, 3103-4, 4518; Warner 3078.

Miami-Carey Ltd.

Philip 4772-3, 5149-50; Stephenson 4772-3, 5149-50.

Midway complex, Vaughan

Bennett 5976-7; Lewis 255, 5975-6; McKeough 255, 5976; S. Smith 255, 5976.

Milk/dairy processors/products

Conway 534, 713-4; W. Newman 534, 1401.

Milk, industrial

Bain 983-4, 1655; Gaunt 1655, 4692; MacDonald 1408, 1656, 4691-2, 5632-3; McKessock 4280-1; W. Newman 1228, 1401, 1408, 1655-6, 4280-1, 4691-2, 5105, 5632-3; Riddell 1227; Villeneuve 5067-8.

Milk marketing board (*see* **Marketing board, commodity**)

Milk producers (*see* **Farming, dairy**)

Milk quotas

Gaunt 2118, 2994-5, 3808-9, 3924, 4638; MacDonald 3150, 3924; McKessock 2115, 2882; W. Newman 2115-6, 2118, 2883, 3150-1, 3670, 3807-9, 3923-5, 4199, 4638-9, 5105; Riddell 2116, 4199; S. Smith 3923.

SUBJECTS—*Continued*

Milrod Metal Products

Lewis 4276; Stephenson 4276.

Minaki Lodge

Angus 738, 755-6, 838, 1842, 2098;
Bennett 835-6, 1842; Bernier 2098; Davis
1649; Foulds 1842; Lewis 1649, 1842;
Reid 835-7; S. Smith 1842.

Mine safety (*see* Safety, mine)

Minerals/ores

Angus 2152; Bennett 2152.

Mines, abandoned/shutdown

Bain 4118; Bernier 4117-8; Ferrier 4117-8;
Kerr 3925-6; Martel 3925; Wildman 3925.

Mines/mining

Bain 4229-30; Bernier 1610, 5435-6;
Ferrier 5322; Germa 4721-4; Kerr 3925-6;
McKeough 3659-60; Martel 3925;
Wildman 3925.

Minimum wage (*see* Wage, minimum)

Mining claims/rights

Bernier 5339, 5628-9; Kerr 5710;
Laughren 5339; Roy 5629; S. Smith 5339,
5435-6, 5628, 5710.

Mining companies

Foulds 1060; Williams 1854-6.

Mining inspection (*see* Inspection, mining)

Mining municipalities

Bain 4229-30.

Mining stock promotion

Bernier 2652, 2881; Davis 4330, 5979;
Reid 2652, 2880-1; S. Smith 4330, 5979.

Ministers without portfolio, re

Foulds 2082; Henderson 2083, 6100-1;
Mancini 6100.

Minorities/ethnic groups

di Santo 427-9; Grande 432-3, 2754-6;
Kerrio 2759; F. S. Miller 428; Welch
2757-60.

Mirex

Bernier 4277; Kerr 4464; Lewis 4464;
Reed 4464; S. Smith 4277.

Mobile homes (*see* Housing, mobile)

Moosonee base

Brunelle 1075-6.

Mopeds

Cunningham 2878; S. Smith 2877-8;
Snow 2878-9, 3500, 5011.

Mortgage Corporation, Ontario

Burr 4639; Deans 4639; Rhodes 1304,
4639, 4693.

Mortgages/companies

Meen 1792; Renwick 1791-2.

Mortgages, subsidized

Bryden 534; Davis 443-4, 5347;
Haggerty 5320; Lewis 443; McEwen 1521;
McKeough 534; Peterson 444; Sargent
5347; Shore 1420.

Motels (*see* Hotels/motels)

Mothers, working

Haggerty 644-6; McClellan 2326;
Taylor 644-5.

Motor vehicle accident claims fund

Auld 2966; Breithaupt 3571, 4507;
Grande 4501; Handleman 3007-8, 3567,
3571, 4184, 4508-9; Lewis 2965, 3007-8,
4504-5; McKeough 1126; Meen 1570;
B. Newman 4505-6; Renwick 1569; Singer
3008; S. Smith 3007.

Motor vehicle dealers

Handleman 2271-2; Nixon 2271.

Motor vehicle/parts industry

Bounsall 1632-3; Breaugh 2345-7;
di Santo 1974-6; McKeough 1130;
Williams 1745, 1762-3, 1851-4.

Motor vehicles

Ruston 898; Snow 884-5.

Motor vehicles, abandoned

Kerr 593; Williams 593.

Motor vehicles, Ontario government

Ruston 2080; Snow 2080-1.

Motor vehicles, stolen

Young 5274.

Motorcyclists/motorcycles

Deans 1481; di Santo 2796; Good 1482-3;
Moffatt 1479-80; B. Newman 1480;
Philip 1481-2; Snow 1437, 1439-40,
1479-83, 2796, 3230; Wildman 1437.

Motorists (*see* Drivers)

Moving service

Deans 2882; Eakins 2558; MacBeth 2882, 3668; McMurtry 2233; S. Smith 2111, 2232-3, 2741; Timbrell 2111, 2232-3, 2741.

Multiculturalism

Campbell 2768; Grande 701, 2754-6, 2952, 4403; Kerrio 2759; McClellan 3719; Nixon 2954; S. Smith 3729; Welch 701-5, 2757-60; Wells 2953, 4403.

Municipal Board, Ontario

Bullbrook 4344-6; Cassidy 4413; Good 4347-8; Nixon 4413-4; Renwick 4349; Rhodes 4350-1; Singer 4341-2, 4412; Swart 4343, 4410-1.

Municipal councils

Angus 5177-8; Drea 5176-7; Givens 5174-5; Good 4511-4, 5201-2; Haggerty 3295; Handleman 674-7; McMurtry 3019; Nixon 762; Norton 3294-6, 3706-7, 4514-6, 5199-200, 5202-3; Renwick 3294-5, 3706-7; Stong 5178-9; Swart 3111, 4454-5, 4510-1, 5172-4, 5200-1; Williams 5169-72.

Municipal employees' retirement system

Bounsall 1458, 1463-4; Breaugh 6072; Campbell 3501; Germa 2178; Good 1434, 1464, 1490, 2175-8; McKeough 539, 1435-6, 1459, 3501, 6072; B. Newman 1464-5; Norton 1465, 1491, 2176-9; Shore 2177-9; Swart 2177.

Municipal government

Breithaupt 3458; Good 1112-3, 2291-3, 3707-8, 3711; McKeough 209, 4203; Norton 1112, 3458-60, 3708-12; Renwick 3459; Roy 3456-8; Swart 3455, 3707-8, 3710-1.

Municipal planning/studies

Bain 2478; Breaugh 2305-8, 4673-4; Campbell 2483-4; Cunningham 2482-3; Davis 1137-9, 4275-6; Godfrey 2470-2; Good 2812, 3101, 3115-6; Haggerty 2264; Hodgson 2816; Makarchuk 4621; McEwen 1523-7; McKeough 1139-44, 2264, 2469-70, 2476-7, 2484-5, 3095; B. Newman 2468; W. Newman 4665; Nixon 2468; Norton 3102-3, 3113; Renwick 2810, 3102; Samis 2484; Spence 3094-5; Stokes 2474-6; Stong 2819-21, 3101-2, 3112-3, 3116, 4672; Swart 2814, 3101, 3103, 4275-6; Williams 4670.

Municipal spending

Nixon 4613-4.

Municipalities, northern

Angus 758.

Municipalities, unorganized

Bain 5132; Bernier 4918, 5122-3; Cassidy 4335-7, 4412-3; Conway 5127-30; Ferrier 4873; Good 5198; Haggerty 2264; Laughren 922, 927-9, 5124-7; MacBeth 1231; Maeck 5132-3; Martel 1193-5; McKeough 4870-3, 5198; Rhodes 4352, 5130-2; R. S. Smith 3194-5; Taylor 3195; Wildman 1208, 4415-6.

Natural gas (*see* Gas, natural)

Natural resources/management

Laughren 914; Mackenzie 1592; Martel 2861; McKeough 1141-4; Renwick 1591, 1593-4; Wildman 1028.

New Canadians

Breithaupt 1279; Bryden 2142; di Santo 2141-2; Good 2145; Grande 2138-9; Haggerty 2143-4; Martel 1276-7; McClellan 1275-6, 2138, 2140; Meen 1279-80, 2137-41, 2143-5; Moffatt 2145; Nixon 2139-40, 2142; Renwick 1277-8, 2144, 2241; Warner 2137.

News media/periodicals

Bennett 5343-4; Cassidy 1273; Deans 4466, 5356-7; di Santo 5344, 5347; Eakins 5343-4; Handleman 2116; Lewis 1935; McMurtry 4466-7, 4879-80, 5356, 5392, 5587; Meen 1274-5, 1395; Moffatt 2116; S. Smith 1934; Stephenson 1934-5; Swart 4466, 4879-80, 5392.

Niagara escarpment

Davis 3928; Good 1163-5, 1490, 2175-9, 2463; Irvine 1165-7; Kerr 1173; Lawlor 1167-9; Lewis 5017-8, 5272; Mackenzie 3928; McKeough 210; McKessock 797, 1169, 5272; Meen 3929; Nixon 1171-3; Norton 1174-5, 1490-1, 2176-80; Renwick 1169-71, 2180-1; Sargent 5017; Swart 1162-3, 1489-90, 2177, 2180-1, 2461; Timbrell 5017-8, 5270-2.

No Confidence motions

Bryden 6060; Lewis 406-7, 5162; S. Smith 466.

No Confidence motions, re

Davis 553.

Noise levels/control

di Santo 4838-9; Godfrey 4695; Lupusella 3651; Moffatt 6068; Philip 4839; Singer 4839; Snow 4838-40, 6069.

NorOntair

Angus 3124; Snow 3124-5.

SUBJECTS—*Continued*

North Pickering (*see* **Pickering North project**)

Northern affairs officers/offices
Laughren, 5126.

Northern Ontario affairs

Bernier 4683; Germa 2638, 2835; Lane 1025-6, 2186-8; McKeough 4870-3; R. S. Smith 2623-35; Stokes 4683; Wildman 1027, 2217-21.

Norwich Union Insurance

Handleman 367, 592; Young 367.

Notices of motion

596, 1677, 2030, 3411, 3502, 4521, 4553, 6016.

Notices of motion, re

Breithaupt 3815; McKeough 3815.

Nuclear radiation (*see* **Radiation, nuclear**)

Nurse practitioners

Dukszta 218; Laughren 3838; Lewis 4398; F. S. Miller 231, 3840-1, 4398.

Nurseries, day (*see* **Daycare/centres**)

Nurses, public health

Bounsall 4398, 4903-5; Breithaupt 747; Bullbrook 4124, 4398; Campbell 747; Cassidy 747; Conway 3773; Davis 4274-5, 4594, 4868-9; Deans 3224, 3491, 4117, 4274, 4594, 4778, 4834-5, 4875, 4907-9; Drea 4906-7; Eakins 2558-9, 4909-10; Good 3911; Jones 4902-3; Kerrio 3846-7; Lewis 2110-1, 2963-4, 3141-2, 3400, 4274-5, 4397-8, 4835-6, 5431, 5709-10; Mackenzie 4875; F. S. Miller 3773-4, 3846-7, 4391-2, 4397-8, 4836-7; Moffatt 3142; Nixon 3142, 4274-5; O'Neil 3911; Samis 3094; Sandeman 1083, 1884, 2009; Sargent 4117; Singer 3401; S. Smith 2111, 2233, 2964, 3223-4, 3401, 3409, 4116, 4875, 4877, 4900-2, 5709-10; Stephenson 747, 1083, 1884, 2009, 2110-1, 2963-4, 3094, 3141-2, 3224, 3400-1, 3409, 3491, 3911, 4116-7, 4594, 4835, 4875-8, 4910-1, 5431, 5709-10; Sweeney 4905-6.

Nurses, surplus/shortage

Grossman 3785-6; F. S. Miller 3789; Parrott 1613-4, 2158-9; Sandeman 622-3; S. Smith 1613-4; Warner 1614.

Nursing aides/assistants

Conway 1638.

Nursing homes

Bain 5254-5; Burr 849; Campbell 933, 4146; Gigantes 3311; Handleman 1226; Mancini 1226; McKessock 799; F. S. Miller 231, 451, 3311, 3826, 4146-7, 4198, 5216, 5447-9; Moffatt 5449; Samis 451; Sandeman 5246; S. Smith 4198; Spence 3826; Stephenson 1226; Swart 812; Sweeney 1226, 3210-1; Taylor 3201-1; Wildman 5446-8.

Nursing schools (*see* **Schools, nursing**)

Nutrition (*see* **Dietitians/nutrition**)

Obituary, Geary, Major Handley
Welch 2735.

Obituary, MacDonald, W. Ross

Davis 2729-30; MacDonald 2729-30; Nixon 2730.

Obscenity (*see* **Pornography/obscenity**)

Offenders, women

Sandeman 2622-3.

Offenders, young

Lewis 4279; Sandeman 2622-3, 3736-7, 4278-9; J. R. Smith 4278-9.

Official guardian (*see* **Guardian, official**)

OHIP

Bain 1003; Burr 423-5; Campbell 1881; Cunningham 2845; Dukszta 5665-6; Foulds 4550-1; Gaunt 3780-1; Germa 5440; Lane 2186; Lewis 5867; Mackenzie 3014; McKessock 3830; McMurtry 3014, 5708-9; F. S. Miller 425-6, 3309, 3758-9, 3776, 3781-2, 3826-7, 4550-1, 5441, 5666-75, 5708, 5867-8; B. Newman 3826-7; Roy 3309, 5868; Singer 5708-9; S. Smith 345-6, 5708; Stephenson 1881, 2529; Williams 1748-52; Ziemba 335-40, 2240, 3014, 4264-7.

OHIP premiums

Angus 2274-5; Auld 1801; Bounsall 1625-6; Breaugh 2340; Bryden 1320-2, 1327, 1681, 2281, 2491; Cassidy 1358-9; Conway 1634-6; Davidson 2204; Deans 1154; Dukszta 218; Eakins 2555-6; Edighoffer 4221; Foulds 1057; Haggerty 5318; Lane 2186; Lewis 1155; McCague 2854; McEwen 1984; McKeough 1124-5, 1154-5, 2274-5; Meen 1570; Nixon 1154; Renwick 1570; Samis 2548-9, 2551;

Shore 1426-7; S. Smith 1154; Spence 2207-9; Stephenson 2275; Sweeney 1155; Warner 1801, 4163; Wells 2275; Williams 1748-52.

Oil companies

di Santo 1860-6; MacDonald 1887-91; Peterson 1891-5; Philip 783-6.

Oil/gasoline prices

Bain 4233; Bennett 4599; Bryden 1906-8, 2250-1, 4004; Davis 1531-2, 1538, 1921-3, 2072-6, 2234-5, 2318-9, 2450-3, 3013; Deans 5110-1; di Santo 1860-6, 1971-2; Foulds 2075; Germa 5110; Haggerty 5319; Kennedy 1035; Lewis 2075, 2450, 2875, 4115; MacDonald 1887-91; McKeough 1129, 1534; McKessock 4335; McNeil 2235; W. Newman 4335; Nixon 2075; Peterson 1891-5, 2076, 3013, 5110; Reed 1919; Renwick 1914-8; Ruston 1919-20, 2236, 4239; Samis 4599; Shore 2452-3; Singer 5110; S. Smith 1908-13, 2233-5, 2318-9; Snow 2235-6, 4404-5, 5105-7, 5110-1; Spence 4404; Stokes 2875; Timbrell 1895-906, 1916, 2870, 2875, 4115.

Oil/gasoline shortage

di Santo 1863-4; MacDonald 1887; Reed 1919; S. Smith 1908.

Oil production

di Santo 1862-4.

OISE (*see* Institute for Studies in Education)

Olympic games

Breithaupt 3569-70; Conway 3573; MacBeth 3226, 3498-9, 3570; McKeough 3573; Reid 3499; G. E. Smith 3226.

Ombudsman

Bullbrook 3098-9; Cassidy 3906; Davis 3904-5, 3920-1, 4052, 4062, 4073-5; Deans 3099, 3156-60, 3514-7, 4065-6; Foulds 3527; Gigantes 827; Godfrey 4072, 4211-3; Grossman 4071-2, 4213-6; Lawlor 3151-4, 3167-8, 3502-5, 4070; Lewis 1153, 1157, 1310, 1771, 3904-5, 3920-1, 4062-3; MacDonald 3041, 4067; McEwen 1988-90; McMurtry 1310, 3155; Nixon 3526-7, 4072-3; Peterson 3164-6, 3524-6, 4070-1; Reed 963, 1157-8; Renwick 3520-4, 4205-9; Rhodes 2235, 3905-6, 4068-9; Roy 3160-2, 3517-20, 3904-5, 4068; Ruston 903, 4209-11; Shore 3162, 3527-8; Singer 1771, 3099, 3154-6, 3167-8, 3505-14, 3904, 3921, 4063-5; S. Smith 2235, 3044, 4066-7; Stephenson 1771, 1885-6; Timbrell 963, 1153-4, 1157-8; Welch 3166-8, 3502, 3528-31.

Ombudsman, labour

Reid 1706.

OMERS (*see* Municipal employees' retirement system)

Ontario Hydro (*see* Hydro, Ontario)

Ontario Malleable Iron

Breaugh 4276; Lewis 4276; Moffatt 887; Stephenson 887, 4276-7.

Ontario Northland Railway/Commission

Bain 136; Reid 4280; Sargent 4601; Snow 136, 4279-80, 4601; Wildman 4279-80.

Ontario offices, foreign (*see* Trade missions/offices)

Ontario Place

Samis 2751; Welch 2751.

OPP (*see* Police, provincial)

Opticians/optometrists

Breithaupt 5147; F. S. Miller 5147.

Orders-in-council, re

Bullbrook 2160; Davis 1693-4, 2160; Lewis 2110; McMurtry 4118-20; Singer 2110; Welch 2110.

Ores (*see* Minerals/ores)

Orphanages (*see* Children's boarding/group homes)

Oshawa marsh

Bernier 2493, 3185, 3231, 3390, 4083; Kerr 537, 595-6; Moffatt 537, 596, 2493, 3185, 3231, 3389-90, 4083.

Ottawa Journal

Cassidy 4600; Stephenson 4600-1.

Osteopaths (*see* Chiropractors/osteopaths)

Packaging

Burr 450, 1938, 2968-9, 3387-8; Davis 2969; Deans 2191-3; Drea 2194-6; Duksza 2196-7; Handleman 1938, 2745; Kerr 3388-9; Leluk 2188-91; MacDonald 2744-5; B. Newman 2193-4; W. Newman 450, 3147-8.

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Paper (*see* Pulp/paper companies)

Parking facilities

Angus 1886; Grossman 3654; Reid 1930; Scrivener 2166; Singer 1931; S. Smith 2370; Snow 1930-1, 2370.

Parks, industrial

Angus 757; Bennett 842, 844; Handleman 675-6; Samis 2547.

Parks, national

Irvine 3906-7; Lewis 3906, 4764-5; Stokes 3907.

Parks, provincial

Bain 5512; Bernier 1704, 2747-8, 3018, 3100, 3284, 3291-3, 5505-6, 5511-2, 5514; Birch 3731; Bryden 3725; Conway 3290; Ferrier 3289-90; Foulds 3288, 5512; Haggerty 3287-8; Lewis 5511; B. Newman 3288-9; Reed 3290-1, 5512; Reid 3286-7; Renwick 3285; S. Smith 5512-4; Spence 2747; Yakabuski 3715.

Parks, trailer

Good 5205-6, 5210-1; Norton 5209-11; Ruston 5210; Swart 5203-5, 5209, 5211-2; Wildman 5206-9, 5211.

Parks, underwater/marine

Bernier 662; Good 662.

Parkway belt east

Cunningham 5676; McKeough 1145, 5676-7.

Parkway belt west

Cunningham 2843-4, 5676; Lewis 2577-8; McKeough 1145, 2577-8, 5676-7; Reed 2577.

Parliamentary commissioner (*see* Ombudsman)

Parole/probation

Cunningham 2848; Sandeman 948-9, 1816, 2619-20.

Pathologists

F. S. Miller 419; R. S. Smith 416.

Patronage

Breithaupt 2078; F. S. Miller 451; Samis 451.

Payola (*see* Bribe charges)

PCBs (*see* Polychlorinated biphenyls)

Pelee Island

Bounsall 5119; MacBeth 5119, 5345; Mancini 5119.

Pembroke Creamery

Conway 534; W. Newman 534.

Pension Plan, Canada

Good 1433-4; McKeough 1432-3, 1435; Shore 1424; S. Smith 365; Taylor 366.

Pensioners

Bain 1841, 1849; Davis 130-1; Gigantes 827-8; Godfrey 130-1; Lewis 1840; Meen 1840-1, 1849; B. Newman 1840-1.

Pensions, disability

Bain 4964, 6070-1; Bounsall 2372; Lupusella 2371; Stephenson 2371-2, 4964-5, 6070-1; Sweeney 3210-1; Taylor 3210-1.

Pensions, integrated/stacked

Gregory 2350-2; Haggerty 2352-3; Laughren 2347-50; Mackenzie 2353-5; McCague 2355; B. Newman 2355-7.

Pensions/plans

Gregory 2350-2; Haggerty 2352-3; Laughren 1780, 2347-50; Mackenzie 2353-5; McCague 2355; B. Newman 2355-7; Nixon 2283-4; Shore 1424-5; Taylor 3181.

Periodical distribution (*see* Book/periodical distribution)

Periodicals (*see* News media/periodicals)

Perkins, Jeff

Brunelle 248-9; Lewis 248-9.

Permits, liquor (*see* Licences/permits, alcoholic beverages)

Personal property security

Handleman 261, 2011.

Personnel services, government

Angus 2412; Auld 2412.

Pest control/services

Bernier 3306; Breithaupt 2646-7; Gaunt 840, 885, 2647; Kerr 840, 885, 1003; Mancini 1002-3, 3669; F. S. Miller 2647; B. Newman 885, 2647; W. Newman 3669-70; Reid 2647; Ruston 3669; S. Smith 3306.

Pesticides/herbicides

Gaunt 840, 885; Godfrey 1868-9; Kerr 840, 885, 5431; Lewis 5431; Reid 885-6; Stephenson 1868-9.

Petitions presented

Breithaupt 5198-9; Bryden 1413; Campbell 1317; Cunningham 1940; Germa 4201; Hodgson 5522; Kerrio 5393; Lewis 754; Mancini 5985; G. I. Miller 2974; Shore 1940; Stong 5521; Warner 5521.

Petitions, re

McEwen 2183-4.

Pharmacists

Bounsall 5657-9; Conway 5659-61; Duksza 5662-3; Mackenzie 5663-4; Makarchuk 1156; Shore 5660-2; S. Smith 1260-1; Stephenson 1156, 1260-1, 1315, 4840, 5656-7; Stong 4840, 5442, 5654-6; Sweeney 5663; Ziamba 1156, 1261.

Photography/photographs

Nixon 955.

Physical fitness

Shore 4656.

Physiotherapists

Breithaupt 3832; Godfrey 3842-3, 4151; F. S. Miller 3832, 3843, 4151.

Pickering North project

Breaugh 2303; Cassidy 3906; Davis 3904-5, 3920-1, 4052; Godfrey 2470-2, 4072, 4211-3, 4878, 4936; Grossman 4214; Lewis 2235, 3223, 3904-5, 3920-1; Nixon 4607, 4936; Renwick 4205-9; Rhodes 2235, 3223, 3905-6, 4878, 4935-6; Roy 3904-5; Ruston 4211; Shore 2022; Singer 3904, 3921; S. Smith 2235.

Picketing

Bullbrook 3314.

Pioneer villages

Campbell 2721; Hodgson 53; Kerrio 2720; MacDonald 54; Sweeney 2720-1; Welch 53-4, 2720-1.

Pipelines, oil/gas

Davis 5591; Peterson 5591; Timbrell 5714.

Pits/quarries

Bernier 2002, 3229; Brunelle 4461; Cunningham 3229; Davidson 2206; Gaunt 2995-6, 3229; Lewis 2002, 2230, 4461; Makarchuk 1315; McKessock 798; Rhodes 1315; Snow 2230.

Plagiarism

Good 4282-3; W. Newman 4282-3.

Planning, community (*see* Community planning/programmes)

Planning/development, Kirkland Lake area

Bain 1087-8; Bernier 1266; Irvine 1087-8.

Planning/development, Niagara escarpment

Good 1163-5, 2179; Irvine 1165-7; Kerr 1173; Lawlor 1167-9; McKessock 1169; Nixon 1171-3; Norton 1174-5, 1490, 2179-80; Renwick 1169-71, 2180-1; Swart 1162-3, 1489-90, 2180-1.

Planning/development, northeastern Ontario

Bain 2478-81; Laughren 751; McKeough 2481.

Planning/development, north-western Ontario

McKeough 2476-7; Stokes 2474-6.

Planning/development, South Rideau

Gigantes 2008-9; Rhodes 2008-9.

Planning, economic

Bryden 2259; Davis 2372-3, 4869-70; di Santo 1973-4, 1977; Makarchuk 2260-2, 2296-9; McKeough 1142-7, 2256-7, 2260-1, 4919-28, 4932-5; Peterson 4932-5; Shore 2256; S. Smith 2372-3.

Planning, education

Parrott 2669-71, 2677-8; S. Smith 4634; Sweeney 2669, 2677; Warner 2666-7; Wells 4635.

Planning government programmes

Lawlor 1585; Meen 1580.

Planning, industrial

Bain 2480-1.

Planning, land use (*see* Land-use/planning)

Planning, municipal (*see* Municipal planning/studies)

Planning, regional (*see* Municipal planning/studies)

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Plea bargaining/discussions

McMurtry 256-7, 447; Renwick 256.

Plutonium

Lewis 3087; F. S. Miller 3087;
B. Newman 977.

Podiatrists

Breithaupt 3831; Davis 130-1; Godfrey
130-1, 3844-5; Makarchuk 131;
F. S. Miller 3831-2, 3845-6.

Points of privilege

Bernier 2872, 5016; Birch 4273, 5186;
Bounsall 4075; Breithaupt 3501; Bryden
5634; Campbell 2071; Cassidy 3410, 4605;
Conway 877; Cunningham 259; Davis
1314, 1693, 3913; Deans 182, 1694;
di Santo 5344, 5347; Drea 1296, 4076-7;
Foulds 4405; Germa 5440, 5505, 5621;
Gigantes 827; Godfrey 4323; Grossman
382; Kerrio 2787; Lewis 664, 1257, 1657,
2071, 2119-20, 2779, 3018, 4197, 4460,
5987; MacBeth 4777; Mackenzie 1075;
Mancini 3139; Martel 2071, 3399;
McClellan 3232; McMurtry 3097, 5965;
Moffatt 4761; Philip 1148; Reed 5120,
5866-7; Renwick 247-8; Riddell 2742,
5015, 5026, 5120; Rollins 4491; Roy
1693, 5429-30; Samis 5105; Sandeman
585, 1256; Sargent 441, 4833, 5975;
Singer 4188-9, 5965-6; J. R. Smith 192;
S. Smith 1693, 2873, 3096, 4394, 4777,
4867; Stephenson 2107; Stokes 4683,
5969; Williams 5966; Wiseman 877, 5966;
Ziemba 5987-8.

Police

MacBeth 2107.

Police brutality/harassment

Breithaupt 2792; MacBeth 2111, 2119,
2792, 3231; Singer 2119, 3230-1;
S. Smith 2111.

Police chases

Breaugh 532-3, 960; Breithaupt 1405-6;
MacBeth 533, 960-1, 998, 1405-7; Nixon
960; Singer 961, 1407.

Police commission, Ontario

MacBeth 2533; Singer 2533.

Police commissions, municipal/ regional

Conway 4772; Germa 995-6; Good 3233;
MacBeth 995-6, 4772; Reid 996.

Police complaint/bureau

MacBeth 4105-6, 5864-5.

Police, municipal/regional

Breaugh 684-7, 2096; Germa 2532;
Kerrio 2532; MacBeth 2096, 2532-3;
McMurtry 661; Singer 660-1, 2533;
S. Smith 2532.

Police, provincial

Auld 878; Bounsall 5119; Breithaupt
3569-70; MacBeth 3226, 3498-9, 3570,
5119-20, 5345; Mancini 5119; Reid 3499;
G. E. Smith 3226.

Police training

Breaugh 685-6.

Police weapons

Breaugh 334, 684-6; MacBeth 334, 368,
660; Samis 660; Singer 1406-7.

Political contributions

Bryden 1177, 2263-4, 5485, 5490;
Edighoffer 1183; McKeough 2264, 5470;
Meen 1184-5; B. Newman 5165-6; Philip
5470; Renwick 1183-4; Roy 2434-5;
Samis 1780; Sweeney 1184.

Polling stations

B. Newman 5312; Samis 4885.

Pollution abatement/equipment

Angus 5142; Grossman 4057; Kerr 1999,
4057-8, 5140-2; Lewis 5140-1; Nixon
5141.

Pollution, air

Breaugh 5515-6; Cunningham 3143, 3308;
Davis 5391-2; Davison 371; Godfrey 5515;
Kerr 371, 3143, 3308, 5342, 5515-6;
Kerrio 5391, 5515; Lewis 3142;
B. Newman 5516; S. Smith 5342, 5437,
5514-5; Swart 5932, 5516.

Pollution, Great Lakes system

Foulds 538; Kerr 527-8, 538, 5142; Lewis
5142.

Pollution index/monitoring

Bain 4058; Bernier 4058; Laughren 4058;
S. Smith 5437.

Pollution, land/soil

Kerr 4465; McClellan 4464-5; Moffatt
4146; W. Newman 4146.

Pollution, noise (*see* Noise levels/ control)

Pollution, nuclear (*see* **Radiation, nuclear**)

Pollution, water

Angus 534, 3929; Bain 2579; Bernier 4277, 5142, 5341-2; Conway 5983; Germa 2538, 3483-4; Godfrey 3483, 3573, 3892, 4277; Kerr 535, 881, 2538, 2579-80, 3011-2, 3146, 3149, 3228-9, 3483-4, 3573-4, 3892, 3929, 4053, 4494, 5978, 5983-4; Kerrio 3149; Lewis 880, 4053, 5142, 5158-9; Samis 5983; Singer 2579; S. Smith 3011-2, 3145, 4277, 4494, 5341, 5978; Stong 3483.

Polychlorinated biphenyls

Angus 3853; Bernier 1772, 2455-6, 2796-7; Burr 3809; Deans 2080, 2797; Gaunt 2368; Godfrey 135, 2456; Kerr 135, 2080, 3149, 3405-6, 3666-7, 3853-4; Kerrio 2369, 2796-7, 3149; Lewis 2317-8, 2368; Mancini 2456; B. Newman 2080; S. Smith 1772-4, 1880-1, 2318, 2367-8, 2455, 3405, 3666-7; Stephenson 1773-4, 1880-1, 2317-8, 2367-9, 3809.

Population/growth

Davis 1138; McKeough 1140-5, 2004; S. Smith 2003-4.

Pornography/obscenity

McMurtry 2578-9, 5518; Roy 2578-9, 5518.

Poverty

McClellan 3172; R. S. Smith 3175-9.

Premier Picture Frame

Bounsall 4603; di Santo 4633; Lewis 4632, 5936-7; Lupusella 4603, 5117; Stephenson 4603, 4632-3, 5117.

Premier's office/personnel

Bryden 1342; Davis 1342, 3737-8, 3740-4, 3746-7; Deans 3741-2; Lewis 3744-6; S. Smith 3738-41.

Price differential, regional

Bain 4233; Davis 2076, 2451-2; di Santo 1975-6; Foulds 1618, 2075; Germa 2838; Lane 1025; Lewis 2451, 4115; Meen 1599; R. S. Smith 2632-3; Snow 1306-7, 1618; Timbrell 4115; Wildman 1599.

Price freeze, oil

Davis 2075; Lewis 2075.

Price/profit/wage controls

Bounsall 3961-3; Breaugh 688-9; Bryden 4003-5; di Santo 1973; Foulds 1056; Lewis 529, 4035-6; MacDonald 4284-7;

McKeough 529, 4920-2, 5873; Renwick 3932-3; Ruston 902; Singer 3952; S. Smith 457, 3938; Swart 807, 810; Warner 4169; Williams 1747; Yakabuski 5873.

Pricing, supermarket

MacDonald 1706.

Printers/printing

Peterson 2493; Scrivener 2493-4.

Private members' hour

1287, 1677, 2030, 2188, 2347, 2770, 3040, 3252, 4306, 4521, 4663, 4900, 5169, 5413, 5654

Probation officers (*see* **Parole/probation**)

Processors, food (*see* **Food processors/products**)

Produce Processors Ltd.

MacDonald 2373-4; W. Newman 2374.

Profits, business

Bryden 5561.

Productivity, industrial

Bryden 5560; Lewis 4933; Mackenzie 1505; McKeough 4920-1, 4933, 5580; Peterson 4933, 4935, 5568-9.

Professional groups

McMurtry 3398.

Profit controls (*see* **Price/profit/wage controls**)

Property law (*see* **Family/property law**)

Prospecting (*see* **Exploration, mineral**)

Prostitution charges

Cassidy 595; McMurtry 594-5; Singer 594-5.

Provincial auditor (*see* **Auditor, provincial**)

Provincial debt

Cunningham 852-3; Lewis 396-7; McKeough 5195; F. S. Miller 475; Nixon 2283; Peterson 5194-5, 5565; Renwick 6038-9; Sargent 472-5; Shore 1417; Sweeney 4473.

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Provincial-municipal affairs

Bryden 2265-6; Lewis 2268-70; McKeough 2012, 2265-8; Shore 2022-3, 2267-8; Swart 2014-8, 2021-2.

Provincial-municipal co-operation

Breaugh 2817-9; Breithaupt 2815-6; Deans 2821-2; Mackenzie 2822; Norton 2822-4; Renwick 2810; Stong 2820; Swart 2814.

Provincial savings office

Good 1793, 2029, 2241; Makarchuk 1793-4; McKeough 2029, 2242; Meen 943, 1789-95; Renwick 1789-93.

Psychiatrists/services

di Santo 3892; Ferrier 668-9; Haggerty 5837; McClellan 3202-3, 5499; F. S. Miller 348-9, 5500; Riddell 1224; Sandeman 969-71; S. Smith 348; Stephenson 1224, 3892.

Psychologists/services

Campbell 5516-7, 5711; Godfrey 5915-9; F. S. Miller 5516, 5711.

Public trustee

Singer 4974-5.

Public utilities commissions

Cunningham 3568, 3912, 4121; Davis 4404; Deans 3568, 3911-2, 4120-1, 4404; Drea 4637; Godfrey 4664; Good 2242; McKeough 2309, 4120-1, 4188; B. Newman 5166; Norton 3459-60; Reid 2324; Timbrell 2324, 3568-9, 3911-2, 4491, 4637.

Publications, government

Bryden 2025; Cassidy 6099; Kerr 6099-100; McKeough 1780, 2025, 2570.

Publicity (*see* Advertising/ publicity)

Publishers, Canadian

Samis 2700, 2724, 2748-50; Welch 2724, 2748-50, 2754.

Pulp/paper companies

Angus 534, 3929, 5142; Kerr 535, 3929, 4053, 5140-2; Lewis 4053, 5140-2, 5156-61; Nixon 5141; Reid 51-2; Samis 51; Stephenson 51-2.

Purina plant

W. Newman 5982-3; O'Neil 5982-3.

Quarries (*see* Pits/quarries)

Queen's Counsel, re

McMurtry 5631; Peterson 5631.

Radiation, nuclear

Bain 6065; Breaugh 1188-90; Davis 3496; Davison 4481-3; Germa 2538; Godfrey 53; Kerr 2375-6, 2443-4, 2538, 2649-50, 3011, 3908-9, 5978; Lewis 745-6, 3087, 4193, 5159-60; F. S. Miller 52-3, 258-9, 369-70, 3087, 4193-4, 4281; Moffatt 52-3, 369, 883, 894-5, 1085, 2375, 2443, 2649, 3909, 4194; B. Newman 977; Nixon 52; Peterson 258-9, 370-1, 1085, 2650, 3909; Sargent 1000; S. Smith 3011, 3496, 3908-9, 5390-1, 5978; Stephenson 746, 883, 1085; Timbrell 1000, 5391, 6065-6; Yakabuski 4281.

Radio operators, amateur

Breaugh 1191; Snow 585.

Radio/television

Angus 3888; Bennett 3888-92; B. Newman 2715-6; Welch 2715.

Railway crossings

Bounsall 1626; Kennedy 1624-5; Snow 5971-2.

Railway passenger service

Drea 5403; B. Newman 5314-5; Snow 2449-50, 3219-20.

Railway relocation

Bounsall 1626-8; Givens 1850; B. Newman 5314; Rhodes 1850.

Rape/violence

S. Smith 3225-6; Stephenson 3225-6.

Rapid transit (*see* Transit, public)

Raspberry programme

Gaunt 1006.

RCA Limited

Bennett 3497-8; Sargent 3497-8.

Reassessment (*see* Assessment/ reassessment)

Records, adopted children

R. S. Smith 3196-7; Taylor 3196-8.

Records, disabled/injured workers

Bain 5414, 6070; Godfrey 5911; Haggerty 5416; Lupusella 5419-20; Stephenson 5418, 6070; Sweeney 5421-2; Williams 5422-3.

Recreation/facilities

Angus 2273, 2713-4, 2892-3, 3124;
Bennett 3124; Welch 2273, 2714, 2893.

Recycling, waste (*see* Waste recycling)

Redistribution, electoral constituencies

Davis 3925; Roy 1030; S. Smith 3925.

Reed Paper Co.

Angus 4115; Bain 4232-3; Bernier 1609, 2790, 4110-2, 4114-5, 4193-5, 4631, 5142; Brunelle 4250; Cassidy 5590; Davis 3921-2, 4184-8, 4190-1, 4250, 4686, 4765, 5143, 5587-90, 5592; Deans 5589-90, 5592; Ferrier 5321; Foulds 4113; Irvine 4765, 5191; Kerr 4113-4; Lewis 1609, 2790, 3921-2, 4112-4, 4185, 4190-3, 4195, 4250, 4631, 4685-6, 4765, 5142-3, 5156-61, 5191; Nixon 4112; Reid 1610, 3922, 4113, 4191, 4193; Renwick 5590; Singer 4190, 4194-5; S. Smith 4115, 4194; Stokes 1610.

Reeve Mine

Lewis 402.

Refineries, metal (*see* Smelters/refineries)

Reforestation (*see* Forest regeneration/reforestation)

Regional costs

McKeough 2468; Shore 2477-8; Swart 2464-7.

Regional/district councils

Good 4667.

Regional/district municipalities

Breaugh 2817-9; Breithaupt 2814; Deans 2821-3; Good 2811-3, 3115-6, 3120-2, 4516; Hodgson 2816-7; Mackenzie 2822; McKeough 1414-5, 3098; Nixon 3118-9; Norton 2809, 2822-4, 3109-11, 3113-4, 3116-7, 3119-22, 4517; Renwick 2810, 3109, 3117-8; Shore 3117; Stong 2819-21, 3110-3, 3116, 3120-1; Swart 2813, 3109-10, 3114-5, 3120-1, 4516.

Regional government

Bain 2478; Breaugh 2304-8; Cunningham 853, 2481, 2842-5, 3888; Davidson 2205-6; Deans 5353-5; Good 2294, 3101, 3115-6, 3120-2; Haggerty 2472-4. McKeough 2239-40, 2467-8, 2470, 3888, 4204; Nixon 2469, 3118-9, 4613-4; Norton 3102-3,

3109-11, 3113-4, 3116-7, 3119-22; Reed 2223; Renwick 3102, 3117-8; Shore 2477-8, 3117; J. R. Smith 2617; R. S. Smith 2626; S. Smith 464; Stong 3101-2, 3110-3, 3116, 3120-1; Swart 2464-7, 3101, 3103, 3110, 3114-5, 3120-1.

Regional municipality, Durham

Breaugh 4672; Godfrey 2470-2, 2798, 4663-4; Good 4517, 4666; Moffatt 4668-9; W. Newman 4664-6; Stong 4671-2; Williams 4669-71.

Regional municipality, Haldimand-Norfolk

G. I. Miller 2309, 3574; Rhodes 3574.

Regional municipality, Hamilton-Wentworth

Cunningham 4205, 5775-7, 6002; Davison 5777-8; Deans 5353-5, 5773-5, 6002-4; Drea 5779-80; Mackenzie 6003; McKeough 5599; Nixon 5780-1; Norton 5781-3, 6002-4; J.R. Smith 2617, 6003-4; S. Smith 5778-9.

Regional municipality, Muskoka

Breaugh 2358; Deans 3713; Good 3233-4, 3714; McKeough 2358-9, 3089; Norton 3234-5, 3713-4; Renwick 3234; Swart 3233, 3713-4, 4518.

Regional municipality, Niagara

Haggerty 2472-4; Rhodes 4497-8; Swart 2466-7, 4497-8.

Regional tourist councils (*see* Tourist associations, regional)

Registrar, condominium

Leluk 1462.

Registry, vital statistics

Handleman 2011.

Rehabilitation, alcoholics

Godfrey 3844.

Rehabilitation, sick/injured

Godfrey 3842-3.

Rehabilitation, vocational

McClellan 561, 3209-10; Renwick 6041-2; R. S. Smith 3208, 3214; Taylor 3208-10, 3214.

Rent/control

Bounsall 1728-31, 2402-3, 2406, 2408, 2424-5; Breithaupt 746-7, 2396-7, 2426, 1265, 1711-9, 2236-7, 2376-80, 2388-97,

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Rent supplements/subsidies

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Report, Carleton Bus Lines and Hagar Coach Lines

Snow 1877.

Report, construction industry bargaining commission

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Report, French language health services task force

F. S. Miller 4183.

Report, health/safety of miners commission

Stephenson 4099-101.

Report, Hydro costing and pricing

Timbrell 4261.

Report, Hydro rates

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Report, inflation programme

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Report, Laurentian Hospital inquiry

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Report, Urban Transportation Development Corp.

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Research, correctional services

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Research, economic/social

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Research, education

Bullbrook 2944-5; Ferris 2951; Nixon 2941-2; S. Smith 3012; Wells 2941-2, 2945, 2950-1, 3012, 3095-6.

Research, energy/needs

S. Smith 1912; Timbrell 4182-3, 4555.

Research, legislative

Breithaupt 3646-7; Deans 3646.

Research, medical

Birch 5979-80; Bounsall 964; Davis 4055; Godfrey 5980; Lewis 4055; Mackenzie 964, 1458; S. Smith 5979; Stephenson 964, 1458.

Research, transportation (*see* Transportation planning/studies)

Research, transportation vehicles

Lewis 2315; Nixon 2315-6; Shore 2316; Snow 2315-6.

Research, youth secretariat

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Reservoirs, water

Kerr 3094; Worton 3093-4.

Resolutions

Davis 3411; di Santo 1677; Haggerty 5841, 6155-6, McKeough 596; Welch 3502.

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Bain 6153-4; Campbell 6151, 6153-4; Haggerty 6152, 6155; Johnston 6151; 6153-4; Laughren 6151-2.

Retarded, associations for

McClellan 3499, 3689-91; Reid 3499; S. Smith 5115; Taylor 3499, 5115.

Retarded, centres for

Birch 2233; Campbell 1311; Ferrier 442, 5235; Lewis 127-8, 379-80, 442, 2366, 2964; McClellan 563, 1311, 2964; Ridde11 128; G. E. Smith 1158, 1311; R. S. Smith 1701; S. Smith 442, 1310, 1700-1, 2233, 2964, 5266; Stong 1315-6; Taylor 128, 442-3, 609-11, 1310-2, 1315-6, 1700-1, 2366, 2964-5, 5266-7.

Retarded children (*see* Children, retarded)

Retarded, facilities for

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Retarded persons

Bain 3499; Cassidy 4332; Lewis 957-8, 5384; McClellan 3499, 3689-91, 5268, 5499-600; F. S. Miller 2796, 5268, 5500; B. Newman 4640; Reid 3499; Shore 958; G. E. Smith 2461; R. S. Smith 2795-6, 3691-7; S. Smith 3728; Taylor 957-8, 3499, 3694-8, 4641, 5384, 5508-10.

Retraining

Lewis 3803-4; Stephenson 3803-4.

Revenue guarantee formula

Davis 2072.

Revenue Ministry personnel

Meen 942, 1566-7, 1580-1, 1600-1; Renwick 1565-7; Young 1600.

Revenue, provincial

Edighoffer 1558-60; McKeough 1123-5, 1131; Meen 942, 1549-50, 1560-5; Peterson 5565; Young 1550.

Review board, anti-inflation

Campbell 64; Givens 100; Lewis 7, 9-11; Nixon 14, 17; Stephenson 447; Swart 447, 807, 810; Wells 5.

Review boards, rental

Cassidy 1712-9, 5359-72; Deans 364, 3569, 5332-3, 5351; Germa 2637; Handleman 364-5, 446, 3569; Shore 3569; S. Smith 446, 1720.

Rezoning (*see* Zoning/rezoning)

Road construction (*see* Construc- tion, highways/roads)

Road maintenance (*see* Highway/
road maintenance)

Road signs/traffic lights

Burr 2965, 3888; Lewis 2965; McEwen
1990; Rhodes 3888; Snow 2965, 3406-7.

Roads commissioners

Norton 4517.

Roads, county/township

Conway 711.

Roads, municipal/regional

Good 3711; Norton 3709-12; Snow 2591;
Swart 3710-1.

Ronto Development Co.

Cassidy 5021-2; Germa 5027; Lewis 5016,
5020-1; Makarchuk 5017, 5020; Meen
4596, 4687, 5012-5, 5019-22; Nixon 5020;
Renwick 5020; S. Smith 4596, 4687, 5016,
5019-21; Welch 5027.

Rowdyism (*see* Vandalism/
rowdyism)

Royal Insurance Co.

Deans 1697-8; Handleman 1697-8, 1935-6.

Royal Winter Fair

W. Newman 4593-4.

Rust (*see* Corrosion)

Sabbatical leaves

Conway 2524-5; Parrott 1654, 1774-6;
Warner 1654; Yakabuski 1001, 1654, 1775.

Safety belts (*see* Seatbelts)

Safety committees, industrial

Angus 4750-1; Bounsall 4657, 5643-5,
5650; Bullbrook 4651-3, 5642-3, 5645,
5648, 5652-3, 5683-4, 5687, 5689, 5692;
Campbell 4780; Deans 4787-8; Drea
4711-3; Dukszta 3766-7, 4703-4, 4707-8;
Ferrier 4738; Haggerty 602, 4701-2,
5685-6, 5697, 5830-1; Laughren 3834-7,
4642-6, 4648, 5495, 5641-2, 5646, 5649-51,
5653-4, 5684-5, 5687-97; Lewis 4720;
Mackenzie 4698-9, 5686; Mancini 4662,
4694; McClellan 5645; F. S. Miller 3839;
G. I. Miller 4782; Reid 4709-10; Riddell
4748-9; Samis 4754; Shore 4656;
Stephenson 4791, 5643-5, 5649, 5686-7,
5689-94, 5697; Sweeney 5687; Wildman
4743.

Safety, construction (*see* Safety,
occupational)

Safety, farm

W. Newman 2168; Reed 2168.

Safety helmets

Cunningham 2878; Germa 2878;
Grossman 967; B. Newman 2893; Singer
2878-9; S. Smith 2877-8; Snow 2878-9,
3500, 5011, 5280; Welch 2893; Young
5274.

Safety, highway

Burr 2965; Ferrier 5278; Kennedy 5277-8;
Kerrio 2457-8; Lewis 2965; Mackenzie
5279; Nixon 5276-7; Snow 539, 1159-60,
1407, 2009, 2457-8, 2746, 2965, 3406-7,
5280-1; Stong 2009; Welch 2582; Young
5273-6.

Safety inspection (*see* Inspection,
safety)

Safety, mine

Bain 4236; Bernier 4545; Breithaupt 4545;
Laughren 4545; Lewis 4125; Stephenson
4099-101.

Safety, motor vehicle

Evans 1850; Snow 5198.

Safety, nuclear

Gigantes 5706; Lewis 5704-5; Moffatt
5872; Reed 5706; S. Smith 5628, 5705,
5872; Timbrell 5628, 5705, 5865-6, 5872.

Safety, occupational

Angus 4750-2; Bain 4783-6; Bounsall
4656-61, 5636-7, 5643-5, 5650; Breaugh
4744-8; Breithaupt 4544; Bullbrook
4650-4, 5635-6, 5640, 5642-3, 5645,
5647-8, 5652-3, 5683-4, 5687, 5689, 5692,
5698; Campbell 4780; Cunningham
4737-8; Deans 1313, 4786-9; di Santo
1159, 1313, 4731-3, 4778; Drea 4710-3;
Dukszta 4703-8; Ferrier 4738-40; Germa
4721-4, 4729-31, 5602-3; Good 746;
Grande 4782-3; Haggerty 4700-3, 5609-10,
5685-6, 5697; Kerrio 4786; Lane 4779-80;
Laughren 3834, 4642-50, 5601-2, 5606,
5608-13, 5635, 5638-42, 5645-51, 5653-4,
5683-5, 5687-98; Lewis 746, 4713-21;
Lupusella 3647-51; Mackenzie 2792, 2968,
4697-700, 5607-8, 5686; Mancini 4661-3,
4694, 5601-2, 5605; Martel 2653;
McClellan 4733-7, 5609-10, 5640, 5645;
G. I. Miller 4781-2; B. Newman 4696-7;
Nixon 5697; Reid 4709-10; Riddell
4748-50; Samis 4778; Shore 4654-6; S.
Smith 1773; Stephenson 746, 803-4, 878,
1159, 1313, 1773, 2792, 2968, 4544-5,
3789-92, 5603-5, 5607, 5610-4, 5635,
5637-41, 5643-7, 5649, 5683, 5686-7,
5689-94, 5697; Sweeney 5605-7, 5609,
5612-3; Warner 5604; Wildman 4741-4;
Ziemba 4780-1.

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Safety, school/bus

Snow 5140.

Safety, water

Bernier 1704; Reid 1704.

St. Clair college

Bounsall 1652; B. Newman 1653; Parrott 1652; Warner 1653.

St. Lawrence Resin Products

Cunningham 3143, 3308; Kerr 3143, 3308; Lewis 3142.

Salaries (*see* Wages /salaries)

Salesmen, door-to-door

Handleman 883, 1651-2; S. Smith 882-3, 1651.

Sand/gravel

Gaunt 2995-6

Saputo Cheese Ltd.

MacDonald 1545; W. Newman 1545.

Satellites, space

Angus 758; Scrivener 3299-300.

School board-teacher relations, Algoma

Bounsall 1285-7; Davis 883; Deans 1335-6; Ferris 1284-5, 1356-7; Foulds 1337-41, 1349-52, 1355-7; B. Newman 1336-7; Sweeney 1334-5; Wells 1232-3, 1280-1, 1352-7; Wildman 883, 1282-4, 1356.

School board-teacher relations, Kirkland Lake

Bain 279-83, 319; Bullbrook 317; Deans 320; Ferrier 304-6; Ferris 283-4, 320; Foulds 277, 284-90, 319-20; Germa 302-4; Laughren 297-9; Lewis 307-8; Nixon 299-301, 315-7; Reid 308-9; Samis 306; Sweeney 290-2, 312, 318-9; Wells 191-2, 208, 276-9, 286, 292, 310-20; Wildman 301-2.

School board-teacher relations, Metro

Bain 103-5; Birch 80; Bounsall 90, 95-9; Bryden 60-2; Bullbrook 75-80; Burr 105-6; Campbell 64-6; Davis 18-21, 168-9; Deans 29-33, 153-5, 158, 161, 164-6; Drea 66-70; Ferris 25-6, 158-9, 164; Foulds 106-10, 161-2, 166; Germa 81-3; Givens 99-103; Grossman 26-9; Laughren 73-5; Lewis 6-13, 152, 159-60, 167-8; MacDonald 21-5; Mackenzie 57-9;

McMurtry 110-2; Meen 72-3; Nixon 13-8, 155-6, 160-1, 165; Renwick 112-9, 137-40, 156-8, 164-5; Roy 89-90; Samis 70-1; Shore 72, 161; Singer 83-8; Stephenson 35-7; Stong 59-60; Sweeney 33-5, 158; Warner 163; Wells 3-6, 141-52, 163, 165-6; Wildman 88-9; Williams 62-4; Ziemba 162-3.

School board-teacher relations, Sault Ste. Marie

Davis 744; Deans 1388-9; Ferris 1384-5; Foulds 1382-4; Lewis 743-4; Rhodes 1386-8; Sweeney 1385-6; Wells 1317-8, 1379-82, 1389-94; Wildman 1385.

School board-teacher relations, Wentworth

Cunningham 1081-2; Deans 1081; Wells 1081-2.

School board-teacher relations, Windsor

Bounsall 996, 1700, 1776, 1879, 2046-52, 2089-94; Burr 1776, 2053-7; Davis 744-5, 964; Deans 1700, 1879, 2057; Ferris 2052-3, 2092-3; Foulds 997, 2064-6, 2085-6, 2090-2; Germa 2061-2, 2090-1; B. Newman 745, 964, 972, 997, 1700, 1776, 1879, 2059-61; Nixon 744, 2062-4, 2087; Wells 996, 1700, 1776, 1879, 2010-1, 2043-6, 2059-60, 2086-8, 2090-4.

School boards

Breithaupt 531; Ferris 2291; Foulds 2915, 3038, 3070-1, 3074; Lewis 152, 3666; McKessock 3887; Stong 1021-3; Swart 3645; Sweeney 3075; Wells 152, 531, 2935-6, 3070, 3074-5, 3502, 3645-6, 3666, 3887-8.

School boards, county/regional

Conway 3035-6; Handleman 676; Wells 3035-6.

School buildings/properties

McClellan 4499; Wells 4499.

School crossing guards

Breithaupt 1486-7; Kennedy 1486; Mackenzie 1487; Moffatt 1487; Snow 1440-1, 1486-7, 2584-5; Worton 1438, 1486.

School examinations/tests (*see* Student evaluation/examination)

School facilities/services

Foulds 3070; Makarchuk 2942-3; McClellan 3034-5; Stong 2651, 2864-5; Wells 2651-2, 2746-7, 2943, 2948-9, 3036-7, 3070; Wildman 2948-9.

School trustees
Davis 839; Deans 1388-9; Ferris 2932;
Foulds 838-9, 2914-5; Wells 2934-6.

Schools, agriculture
W. Newman 4630.

Schools, correctional (*see* Training centres/schools)

Schools, driving
Reid 1940.

Schools, elementary
Mancini 1653; Wells 1653-4.

Schools, French language
Cassidy 1040-1, 1085; Davis 5978-9;
Roy 2439, 2801, 5979; S. Smith 5978.

Schools, nursing
Davidson 2003, 2206-7; Parrott 2003;
S. Smith 2003.

Schools, parent involvement
Foulds 2912.

Schools, post-secondary (*see* Education, post-secondary)

Schools, provincial, special
McKessock, 3887; Wells 3887-8.

Schools, secondary
McClellan 4499; Shore 3500; Wells 3500,
4499.

Schools, teachers'
S. Smith 4636; Wells 4636.

Science centres
Samis 2751; Welch 2751.

Scientology
Lewis 1453-4, 1612; Reid 1612;
Stephenson 1453-4, 1612.

Seatbelts
Bullbrook 1052-4; Davis 966; Handleman
2375; Kennedy 885; McEwen 1985-6;
McKessock 966; G. I. Miller 2974;
Nixon 884; Riddell 133; Snow 132-3,
884-5, 966, 2074-5; Spence 132, 2374-5;
Villeneuve 264.

**Secession (*see* Separatism/
secession)**

Securities commission/regulations
Bernier 2652; Handleman 2005, 2227-8;
Reid 2652, 2880-1; Renwick 2005.

Securities/industry
Handleman 4278; S. Smith 4278.

Security guards/agencies
MacBeth 2537, 5439, 5596; B. Newman
2537; Ziemba 5439.

**Senior citizens (*see* Aged/senior
citizens)**

Senior citizens' clubs/centres
Drea 4850.

Sentences (*see* Fines/sentences)

Sentencing, community service
Burr 850; Drea 771-2.

Separatism/secession
Germa 2835; Renwick 6044-6; R. S.
Smith 2623-4; S. Smith 6029-35.

Septic/holding tanks
Kerr 2079, 2375; Laughren 5125.

Service centres, highway
Deans 5110-1; Germa 5110; McNeil 2235;
Peterson 5110; Ruston 2236; Singer 5110;
Snow 2235-6, 4404-5, 5105-7, 5110-1,
5392; Spence 4404, 5392.

Service clubs
Samis 2895-6; Welch 2895-6.

Severance pay
Laughren 5869; Lewis 5868; McKeough
5869-70.

Severn Park development
Bernier 4937, 5016, 5025, 5346; Irvine
4883; Riddell 4882, 4937, 5015, 5025,
5346.

Sewage disposal
Eakins 2555; Foulds 1883-4, 2375; Kerr
1883-4, 2375; Makarchuk 4621-2.

Sewage treatment
Gaunt 4495; Kerr 4494; Makarchuk
4623-4; B. Newman 5163-5, 5316;
S. Smith 4494.

Sewerage
Good 4512-3; Laughren 916, 1783;
Martel 1782; McEwen 1982; Meen
1782-3; Norton 4516.

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Sex changes

Handleman 2597; Roy 2597.

Shared cost programmes (*see* Cost-sharing programmes)

Sheltered workshops (*see* Workshops, sheltered)

Shepley, Merle

Deans 4595; Wells 4595.

Shopping plazas/centres

Edighoffer 1559-60; Makarchuk 4622; Meen 1563-4; Nixon 4613; Young 1556-7.

Signs, road (*see* Road signs/traffic lights)

Silicosis

Ferrier 671, 5327; Laughren 921; Lewis 3664-5; Stephenson 3664.

Silver Islet development

Bernier 2079; Breithaupt 2079.

Simcoe Day

Breithaupt 3261-2; Conway 3257-9; Foulds 3256-7, 3262; McCague 3262; G. I. Miller 3262; Moffatt 3260-1; Norton 3259-60; G. E. Smith 1940, 3252-6.

Single parent families (*see* Family, single parent)

Ski Patrol System

McCague 56; Welch 56.

Slaughterhouses (*see* Abattoirs/slaughterhouses)

Small businesses (*see* Businesses, small)

Smelters/refineries

Lewis 3221-2.

Smoke detection devices

Handleman 3571-2; Moffatt 3571-2.

Smoking, tobacco

Angus 4751; Burr 4171-3, 4740-1; Cassidy 1358-9, 3591; Godfrey 661, 3842, 4695-6; Lewis 661; Meen 1361-2; Stephenson 661.

Social development/councils

Birch 3716-7, 3721, 3724, 3730, 3733; Bryden 3725-6; Campbell 3720-1; McClellan 3717-20; R. S. Smith 3733-5; S. Smith 3727-30; Warner 3732.

Social/family services

Angus 736; Birch 978-81; Breithaupt 3570-1; Campbell 603-6, 3200; Cassidy 1039-40; Cunningham 5282; Foulds 1059; Lewis 125-6, 386-96, 3305; Mackenzie 135; McClellan 556-67, 3171-4; B. Newman 3684-6; R. S. Smith 3175-9, 3193-6; Swart 813; Taylor 125-9, 135, 556-74, 3170-1, 3179-84, 3193-6, 3570-1, 3685-6; Wildman 1028.

Social insurance numbers

Meen 6067; F. S. Miller 3781-2; B. Newman 3826; Ziemba 4264, 6067.

Social planning councils

R. S. Smith 3194; Taylor 3194.

Social service centres

Grossman 267-9.

Social service costs

Campbell 126; Cassidy 126; Lewis 125-6; Mackenzie 135; Nixon 126, 128; Shore 126; S. Smith 129; Taylor 125-9, 135, 3170-1.

Solandt commission

Kerr 3853; Reed 3853.

Solar energy (*see* Energy, solar/wind)

South Rideau development

Gigantes 753; Rhodes 753-4.

Souvenirs/gifts

Bryden 2746; Scrivener 2746.

Spadina extension

Davis 2316-7; Grande 1930; Grossman 3652-6; Lewis 1930, 2316; McClellan 2325; Reid 1930; Singer 1931, 2317; Snow 1930-1.

Speaker, permanent

Bullbrook 2793.

Speaker, re the

Deans 5330-2.

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Admittance of constituents to Legislative Building 585, 1695; Andrew StParick, re

1318; Architectural consultant 3591-2;
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1270-1, 1367-73; W. Newman 908;
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Bryden 1572-3; Meen 944-6, 1568-9; Renwick 1272, 1568.

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Tax credits/rebates

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Tax, income

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Tax, land speculation

Bullbrook 5017, 5021; Cassidy 5021-2; Lewis 5016, 5020-1; Makarchuk 4687, 5017, 5020; Meen 1599, 1674, 4596, 4687, 5012-6, 5019-22, 5032; Nixon 5020; Renwick 5020; Singer 5022; S. Smith 4596, 4687, 5016, 5019-21; Spence 1599; Swart 1674-5.

Tax, land transfer

Bryden 1330; Gaunt 1596-7; Good 1595; McKeough 5115; Meen 1595-7; S. Smith 5115.

Tax, mining/revenue

Bernier 3497; Bryden 2281-2; Martel 3497; McKeough 3659-60; Meen 1589-90; Renwick 1289-90; Swart 2020.

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Tax, municipal/regional

Cunningham 2481; Swart 2014.

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Angus 4676; Bounsall 1626; Bryden 1320, 5559-64, 5599-600; Davis 6052; Deans 4934, 5576-8; di Santo 5569-71; Edighoffer 5571-2; Haggerty 5318; Lewis 4928-30, 4940, 5161; McKeough 4676, 4926-7, 4929-30, 4934, 5578-81, 5599; Peterson 5564-9; Roy 5575-6; Swart 4930, 5572-5.

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Tax reform

Breithaupt 1678-9; Bryden 1681-3; di Santo 1677-8; Gregory 1684; McKeough 2489; Peterson 1686; Shore 1683-4, 2489; Swart 1685-6, 2485-9; Williams 1679-81, 1760.

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McKeough 4152; Young 4152.

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Burr 4639; Deans 4639; Rhodes 4639, 4693; Swart 4639.

Tax, sales

Bryden 1320; Cassidy 1272-3; Edighoffer 1272, 1431; Good 1396, 1600; Haggerty 1273-4, 5318-9; McKeough 1121, 1126; Meen 1272, 1274-5, 1395-7, 1431-2, 1597-600, 2966-7, 3406; B. Newman 1396; Renwick 1271, 1396, 1597-8; Samis 2548-9; S. Smith 2966-7, 3406; Sweeney 4474; Wildman 1599-600; Williams 1744-5.

Tax, school

Foulds 3038; Ruston 4238.

Tax, tobacco

Cassidy 1358-9; Edighoffer 1358, 1560; McKeough 1125; Meen 1361-2, 1564-5; G. I. Miller 1360-1; B. Newman 1359-60; Renwick 1358; Spence 1361.

Taxation policy

Breaugh 2334-5; Bryden 2281-3; Lewis 397; McKeough 2282-3.

Taxes, provincial

Angus 2413; McKeough 2413; Samis 2548-9.

Taxicabs/drivers

Breithaupt 3811; Handleman 3811; Peterson 3810-1.

TDI

Lewis 4493, 4715; Stephenson 4493.

Teacher-student ratio

Deans 5111; Wells 5111-2.

Teachers

Ruston 902-3; Stong 1022-3.

Teachers, post-secondary

Parrott 6099; Warner 6099.

Teachers, probationary

Mancini 3038; Wells 3038.

Teachers, secondary school

Conway 3985-7; McMurtry 4025-6;
S. Smith 3941-2.

Teachers, special education

Foulds 3500-1, 5713; J. R. Smith 5713-4;
Wells 3500-1, 3810.

Teachers, superannuated

Deans 4595; Wells 4595.

Teachers' training

Cunningham 2842; Foulds 2913-4;
Sweeney 3025; Wells 3029.

Teachers, training-school

Foulds 452, 2648; Sandeman 451-2, 2648,
2797; J. R. Smith 451-2, 2648, 2797.

Teachers, unqualified/inexperienced

Mancini 2743; S. Smith 2743; Wells 2743.

Technology

Bullbrook 3314-5; Williams 1856-7.

Teela Market Surveys

Bryden 1580, 1582; Meen 1562-3, 1582-3;
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Telephone rates

Sargent 4465-6; Snow 4465-6.

Telephone service

Bain 984-5; Handleman 3810; Mackenzie
3810; Snow 3671; Swart 3671.

Television, cable

Hall 2600-1; G. I. Miller 4602; Philip
4602; Rhodes 2601, 2604, 4602; Samis
2698, 2887; R. S. Smith 2625, 2887-8;
Snow 3397-8; Stong 2603; Welch 2708,
2886-8.

Television, educational

Angus 757-8; Bain 985; Davis 587-8;
Ferrier 670-1, 5328-9; Kerrio 673, 2704;
Lewis 587-8; Nixon 2889-90, 2957-8,
4617; Reid 588; Samis 2698; R. S. Smith
2887-8; Welch 2708, 2886-91; Wells 2958.

Television/movie violence

Bryden 2973; Davis 2973-4.

Television, pay

Foulds 3410; Lewis 3404; Snow 3397-8,
3404, 3410.

Temporary absence programme

J. R. Smith 4392.

Tenants (*see* Landlord/tenant)

Tenants' associations/groups

Breithaupt 2396; Cassidy 2396-7; Drea
2396; Philip 3092; Rhodes 3092.

Tenants, OHC

Rhodes 3017; Sweeney 3017.

Tendering, government

Eakins 2558; McClellan 1828.

Tendering, OHC

Kerrio 1884, 1937; Rhodes 1884, 1937-8;
Singer 1937-8.

Termination pay (*see* Severance pay)

Tests, university admission

S. Smith 2163-4; Wells 2163-4, 5107-8.

Texasgulf complex

Ferrier 485, 666-8.

Textbooks/educational materials

Foulds 3060; Givens 4548-9; Lewis 3666;
Roy 2802; Wells 3060, 3666, 4548-9.

Textile industry

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5982; Samis 2547, 4545-6; Stephenson
5982.

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Breaugh 683-96; Bullbrook 1047-56; Burr
844-51; Campbell 931-41; Cassidy 1038-
41; Conway 696-700, 711-27; Cunning-
ham 851-6; Davis 540-55; Drea 767-82;
Eakins 814-7; Ferrier 665-71; Foulds
1056-63; Gaunt 1005-12; Gigantes 861-6;
Gregory 727-34; Grossman 264-75;
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1023-27; Laughren 913-22, 927-31; Lewis
373-407; MacDonald 1015-21; Mancini
866-9; McKessock 759-800; McMurtry
869-71, 888-92; Meen 941-7; Moffatt
892-7; B. Newman 971-9; W. Newman
905-13; Nixon 760-7; Philip 782-9;
Rhodes 1063-8; Roy 1029-33; Ruston
897-905; Sandeman 947-50, 967-71;
S. Smith 453-66; Stephenson 800-7; Stong
1021-3; Swart 807-14; Villeneuve 261-5;
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Angus 2918; Bennett 2918.

Thunder Bay Ski Jumps Ltd.

Angus 4931; Bennett 4931-2, 5139; Lewis 4931; S. Smith 4931-2; Stokes 4932.

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Bennett 4496; Conway 4495-6; Lewis 4496.

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Angus 735-6, 2358; Makarchuk 3409; Stephenson 2358, 3409.

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Toronto Area Transit Operating Authority

Snow 5863.

Toronto Refiners and Smelters

Campbell 4058; Grossman 4057; Kerr 4057-8, 4465; McClellan 4464-5.

Toronto Transit Commission

Reid 1223; Snow 1223.

Toronto Workshop Theatre

Davis 5344-5; Foulds 5344-5.

Tourist associations, regional

McEwen 2183.

Tourist attractions

Samis 2546-7.

Tourist development/promotion

Bennett 821-2, 841-2, 4598; McEwen 2183.

Tourist industry

Bennett 4598; Eakins 2554-5; Maeck 1785; Meen 1785-6; Samis 4599; S. Smith 4598; Yakabuski 4599.

Tourist information/reception centres

Bennett 821.

Towland-Hewitson Asphalt

Foulds 2652, 2862; Meen 2652, 2863-4; S. Smith 2873.

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G. I. Miller 2082; Nixon 2082, 2299-303, 4549, 4608-10, 5147-8; Rhodes 2082, 4549-50, 5147-8.

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Breaugh 2305; Makarchuk 2297-8, 2302, 4549, 4620, 5148; McKeough 1145, 2298, 2301-3; G. I. Miller 2082; Nixon 2082, 2299-303, 4549, 4608-10, 5147-8; Rhodes 2082, 4549-50, 5147-8.

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Trade missions/offices

Angus 1444, 3854; Bennett 818, 1444-5, 3854-86.

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Traffic/parking violations

MacBeth 6068; Mackenzie 6067.

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Trailers/motor homes

Good 4513; Norton 4515; Swart 4510-1.

Training centres/schools, correctional

Birch 4254-5, 4274, 4324, 4392-3, 5506-8, 5708; Campbell 4252, 4254, 4325; Davis 1702, 5339; Lewis 994, 1769, 4250-1, 4255, 4261, 4274, 4279, 4324-5, 5262, 5339, 5707; McMurtry 1702; F. S. Miller 4396, 5262; Moffatt 1846; Sandeman 947-50, 1413, 1846, 2619-23, 3736, 4278-9; J. R. Smith 1303-4, 1413, 1767-70, 1846, 2560, 4251-2, 4255, 4260-1, 4278-9, 4324-5; S. Smith 1701-2, 1769-70, 1845-6, 4254-5; Stong 4848; Taylor 994.

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Breaugh 333; Cunningham 5775-7; Davison 5777-8; Deans 599, 5773-5; Drea 768-9, 5779-80; Gigantes 862; Irvine

4917; McKeough 5599; G. I. Miller 333; Nixon 5780-1; Norton 5781-3; S. Smith 5778-9; Snow 333-4, 536, 3657, 5703-4, 5970-2; Warner 536, 4169.

Translators/interpreters

Campbell 2768; Kerrio 2759; Welch 2759.

Transportation, aged/handicapped

Norton 4518; Swart 4518.

Transportation development corporation

Irvine 4917; Lewis 2315, 4460, 4471; McClellan 4080; McKeough 1129-30; Reid 2324-5, 2371, 3409, 4280, 4460-71; S. Smith 2370; Snow 2315-6, 2370-1, 2373, 3409, 3657, 4080-2, 4279-80, 4469-71, 5615; Wildman 4279-80, 5615.

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Kerrio 4601; Sargent 4601; Snow 4601.

Transportation, intermediate capacity

Breithaupt 4545; Lewis 3665, 4837; Reid 1882; Singer 3665; Snow 1882, 3657, 3665, 4545, 4837.

Transportation, light rail

Irvine 4917; Reid 1223; Snow 1223.

Transportation planning/studies

Bryden 3926-7; Campbell 3079-81, 3927; Davis 3926-7; Givens 3926; Godfrey 886; Norton 3078-81; Philip 788-9; Snow 886-7, 2450, 3219-20; Warner 3078; Wildman 2217-2.

Transportation terminals

Davis 3926-7; Givens 3926; Snow 5970-2.

Trapping (*see* Hunting/trapping)

Travel agencies

Angus 3280-2, 3466-7; Bryden 2539; Cunningham 3282, 3468; Handleman 449, 2365-7, 2460, 2531, 2539, 2872, 3279-80, 3283-4, 3466-9; Lewis 2366, 2531; B. Newman 3468; Philip 449, 2459-60, 2531; Shore 3467-8.

Travel expenses (*see* Expense accounts/travel expenses)

Treasury personnel

Bryden 2024-6; McKeough 2012-3, 2025-7, 2287; Shore 2287.

Tree planting

Moffatt 6068; Snow 6069.

Tree removal/replacement

Bernier 1317; Irvine 1223; Reid 1223.

Trespassing

McKessock 799.

Trials, court

Bullbrook 1703; Cassidy 2114; Lawlor 1702; MacBeth 2114, 2119; McMurtry 1702-4; Renwick 1704; Roy 2114, 2436-8; Singer 2118.

Tricil Waste Management

Kennedy 4120; Kerr 4120.

Trucking industry

Breithaupt 1466; Cunningham 1095-7, 1105, 5408-10; Drea 1097-8, 5401-6; Eakins 331, 2554; Good 3672; Gregory 5393-6; Kennedy 1623-4; Lewis 585-6; Moffatt 331, 1484-5, 5406-8; Nixon 1102-4; Philip 586, 1091, 5396-8; Reid 586, 1092-3, 1483-4, 5398-401; Renwick 1099-102; Ruston 1438; G. E. Smith 330; S. Smith 1080; Snow 330-1, 586, 967, 1080, 1091, 1104-5, 1437, 1440, 1451, 1466-7, 1483-5, 3094, 3672, 5412-3, 5866; Sweeney 1099; Welch 2580-1; Wildman 1098, 1437-8, 2218, 3094; Williams 5410-1; Yakabuski 3094; Young 1093-5.

Trucking rates (*see* Freight/trucking rates)

Trust/loan companies

Handleman 5381-3, 5429; Lewis 5382-3.

Trustees, school (*see* School trustees/councils)

Tuberculosis

Godfrey 3844; F. S. Miller 3846.

Tuition fees

Bounsall 2682, 3065-8; Davis 4467-8; Deans 2805-6; di Santo 2682; Ferris 3064, 3465; Foulds 3063-4, 3067, 3465; Good 3064-5; B. Newman 2663, 3465; Parrott 1929, 2007-8, 2228-9, 2514, 2518, 2663-4, 2682-3, 3408, 4260, 4463-4, 4686-7, 5011-2, 5120, 5194, 5267; Renwick 2008, 2800; S. Smith 4686; Sweeney 2008, 2512-3, 3066, 3407-8, 4260, 4467, 4686-7, 5120; Warner 2007, 2500-2, 2804, 3066, 3068-9, 4166, 4463, 4687, 5194, 5267; Wells 2376, 2806, 3066-9, 3464; Worton 2007.

Unemployables

Campbell 3211-2; Deans 3204-6; Ferrier 670, 5327; McClellan 630, 3202-3; R. S. Smith 3203-4, 3206; Taylor 631, 3202-6, 3212.

Unemployment insurance/commission

Bernier 1259, 1612; Deans 2645; Foulds 2646; Lewis 1259, 1612; Taylor 2645-6.

Unemployment/layoffs

Bryden 133-4, 2251, 2259-60, 2262-3, 4543; Burr 844-7, 4175; Davis 133-4, 4543; di Santo 1972; Haggerty 2797-8, 5318; Lewis 5161; Lupusella 2651, 2792; Mackenzie 1506; McClellan 2325-6; McKeough 2260; B. Newman 973-6; Peterson 5566; Renwick 6037, 6041; Samis 2545-7; S. Smith 459; Stephenson 2651, 2792, 2798.

Union certification

Bullbrook 3313.

Union, typographical

Bounsall 2576; Bullbrook 2793; S. Smith 2576; Stephenson 2576, 2793.

United Asbestos Corp.

Bain 879-80, 981-3, 1219, 1612, 4058; Bernier 252, 653, 1255, 1259, 1612-3, 4058, 4544; Bullbrook 1613; Foulds 1061; Kerr 881, 2081; Laughren 880, 917-9, 4058; Lewis 252, 401-5, 653, 878-80, 1218-9, 1259, 1612, 4543, 5160; Reid 1219; Stephenson 878-80, 1218-20.

Universities/colleges

Bounsall 2519-23, 2656, 2681-3; Bullbrook 2675-6; Conway 2524-5, 2657; Martel 449; Parrott 449, 2499-500, 2514-8, 2657-60, 2670-1, 2674, 2676-85, 5374-5; Sweeney 2506-14, 2656; Warner 2500-4, 2519, 2654-9, 2666-7, 4163-8, 5374.

Universities/colleges, bilingual

Warner 2504.

Universities/colleges, open concept

Campbell 2753; Welch 2753-4.

Universities/colleges, overcrowded

Bounsall 2681; Parrott 2679-81; Warner 2679.

University admission tests (*see* Tests, university admission)

University faculties

Bounsall 2522; B. Newman 2682; Parrott 2515, 2680; Sweeney 2513-4, 2679-80; Warner 2503, 4163-4.

University faculties, Canadianization

Campbell 1648; Lewis 1647; Martel 1265, 1647; Parrott 1267, 1645-8, 4629-30; Sweeney 1647.

University governors/boards

Parrott 2657-8; Sweeney 2656; Warner 2654-5.

University post-graduate programmes

Bounsall 2522; Conway 2524; Parrott 2671; Sweeney 2668-9.

Uranium

Burr 4283; Davison 4485; S. Smith 5628; Timbrell 4283, 5628.

Urban development/control

Eakins 816; McKeough 1141.

Urban growth/sprawl

Davis 1137-9; McKeough 1139-41, 1144.

Vaccines (*see* Immunization/vaccines)

Vandalism/rowdyism

Bernier 3291; Ferrier 3289-90; Foulds 3288; Reid 3286-7.

Venereal disease/control

Godfrey 2114-5; Philip 2115; Stephenson 2115.

Venture capital/fund

McKeough 4927-8.

Venture investment corporations

McCague 2856; McKeough 1126; Shore 2023.

Veterinarians/services

Burr 4217.

Vic Tanny

Handleman 1147-8.

Viceroy Homes

Drea 4850-4.

Vigilante groups

MacBeth 1312, 1457-8; S. Smith 1312, 1457-8.

Viking Homes

Breithaupt 2647, 4462, 4837-8; McClellan 4838; S. Smith 2321, 2534, 4771; Stephenson 4838; Taylor 2321-2, 2534-5, 2647-8, 4462, 4771.

Vinyl chloride (*see* Polychlorinated biphenyls)

Violence, sports

B. Newman 978.

Vital statistics

Handleman 2597; Roy 2597.

Vocational/trades training

Bounsall 2520-1; Parrott 1497-502, 2517, 2643; Sweeney 2684.

Voters lists

McKeough 2570; Meen 4541-2.

Voters/voting

McKessock 800.

Voting, electronic

B. Newman 6027.

Voting, proxy

Stong 5442.

Wage controls (*see* Price/profit/wage controls)

Wage, minimum

Angus 735-6, 2358; Bounsall 1630, 5591; Germa 2833; Laughren 915; Lewis 5018; Makarchuk 3409; McEwen 2182-3; Samis 56, 2550; Stephenson 56, 2358, 5018, 5591.

Wages/salaries

Auld 1800-1, 2246, 3489, 4184, 5260-1; Mackenzie 1505-6; McKeough 2027, 2243-4; Shore 2027, 2243-5.

Wand-X Corporation

Good 4690-1; Timbrell 4690-1.

Wards system, municipal

Angus 2173-4; Cassidy 5122; Foulds 2120-5, 2172-3; Good 2125-6; Norton 2120, 2126, 2172-4, 3110-1, 3121, 3234-5; Renwick 3111; Stong 2820, 3110, 3120-1; Swart 2814, 3109-10, 3120-1, 3233, 3713.

Warranties/guarantees

Breaugh 2337-8; Handleman 680-1, 3301-2.

Warranties, housing

Breithaupt 3469, 3638-9; Cassidy 4531; Cunningham 2840-1, 3240-1, 3470, 3479-80, 3643, 3699, 3703; Davis 551; Deans 1402, 3246-50, 3473-4, 3478, 3481-2, 3634-8, 3642-3, 3701-2, 3705-6; Drea 3241-5, 3633-8, 3640-1, 3643-5, 3700-6; Gregory 731-2, 4528-9; Hall 3275-6, 3634, 3639, 3641; Handleman 680, 1402, 1875, 2736, 3237-8, 3276-9, 3470-2, 3476-8, 3481; Makarchuk 3274-5, 3639; Martel 3475-7; Moffatt 895-7, 3238-40, 3477; B. Newman 3251, 3702-3; Philip 4525; Renwick 3251, 3269-73, 3469-72, 3479-81, 3633, 3639-44, 3699-700, 3703-6, 3813; Roy 1402, 3474-5; Samis 3276; Shore 3273-4, 3472, 3479; Sweeney 3250-1.

Warranties, rust protection

Handleman 5381.

Waste disposal/management

Gaunt 4196; Godfrey 3473, 4196-7; Good 3714, 4667-8; Kerr 527-8, 583-4, 1083, 3006-7, 3573-4, 4195-7, 4256-7, 4273, 4464; Lewis 3006-7, 4195-6; Nixon 4196; B. Newman 4263; Norton 3713-4; Reed 1083, 4464; S. Smith 4195, 4197, 4256; Swart 3714.

Waste, industrial/liquid

Conway 5983; Kerr 3306-7, 4197, 5983-4; Samis 5983; S. Smith 3306-7.

Waste, nuclear

Bain 4577; Davison 4484; Kerr 3011, 3887, 3908-9; Moffatt 3887, 3909; S. Smith 3011, 3908-9; Timbrell 4586.

Waste recycling

Kerr 4253; B. Newman 4263; Reed 4253.

Water levels, Great Lakes

Bain 3569; Deans 3569; Irvine 3569.

Water rates

Godfrey 4664; Norton 4517; Swart 4516.

Water/services

Bernier 5339, 5435-6, 5628; Godfrey 3483; Good 4667; Kerr 2081, 2530-1, 3151, 3483, 5436, 5710; Laughren 916-7, 927-9, 1785-6, 1783, 5124-5; Lewis 2530-1; Martel 1782; Meen 1782-3; S. Smith 5339, 5435-6, 5628, 5710; Stong 3483.

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Water shortage

Angus 5711-2; Foulds 5712; Irvine 5712;
Reid 5712.

Water testing

Cassidy 2112; Gaunt 4939; Kerr 3011-2,
4939; S. Smith 3011-2; Stephenson 2112.

Water wells

Kerr 4492; Lewis 4491-2.

Weigh stations

Drea 5404; Kennedy 1623.

Welfare benefits (*see* Family/welfare benefits)

Welfare recipients

Angus 736; Breaugh 690-1, 2342, 2344;
Bryden 331-2; Campbell 934-7, 940;
Cassidy 1039, 3088; Davison 636;
Deans 194-5; Ferrier 669; Gregory 728;
Lewis 192-3, 392-6, 3088; Martel 2991-3;
McClellan 558-61, 3191, 3198-200;
McEwen 1983-4; Roy 3088-9; Samis 2552;
R. S. Smith 3176, 3193; S. Smith 193-4;
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Westinghouse Canada Ltd.

Bennett 820.

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Bernier 2493; Kerr 537, 595-6; Moffatt
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MacBeth 3222-3, 3408; Nixon 3304,
3663-4; Singer 3664; S. Smith 3223,
3304, 3663.

Wild rice

Bernier 2794-5; Lewis 2763, 3087;
McClellan 2794-5.

Wildlife/management

Bernier 2098, 5345; Gaunt 2098;
O'Neil 5345.

Wills (*see* Estates/wills)

Wilson Lighting Ltd.

Lawlor 3408-9; Stephenson 3408-9.

Wind power (*see* Energy, solar/wind)

Wine (*see* Liquor/beer/wine)

Wineries (*see* Breweries/distilleries/wineries)

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Wintario distribution

Samis 2701.

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Davis 4543; Lewis 4543.

Winter trails programme

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Wiretapping (*see* Electronic surveillance)

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McMurtry 3399; Roy 2436-8.

Wives/husbands, common-law

McMurtry 4793; Renwick 4793-4.

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Bounsall 4817-9; Campbell 934-7, 940,
4815; Sandeman 4813-4.

Women/girls

Warner 4887-9.

Women offenders (*see* Offenders, women)

Women's equal opportunity programme

Auld 753, 1802-4, 1831; Bryden 663,
753, 1318-9, 2025-6; Campbell 2083;
Davidson 1798; Johnson 1584; Kerrio
2889; Laughren 930-1; McKeough 2026;
Meen 1584; Sandeman 1801-4; Taylor
2083; Warner 1830, 2502; Welch 2889.

Women's rights

McClellan 2326; Warner 2678-9.

Workers

Breaugh 2338-9.

Workers, ambulance

Conway 5218-20; Makarchuk 5227-8;
F. S. Miller 5219-20.

Workers, automotive

B. Newman 973-6.

Workers, casual/temporary

Auld 486-9, 1306, 1816, 1819-20, 1828-9, 4936-7, 5196; Breithaupt 486; Bryden 1664, 1666, 2024-6; Davidson 1798; Makarchuk 1815-6, 1820-1, 1828-9; Meen 1666; Warner 1819-20; Wildman 1817-9, 1821, 4936, 5197.

Workers, child care

Breithaupt 4837-8; Stephenson 4838.

Workers, coke oven

Deans 5623-6; Laughren 5625; Lewis 4461, 4719, 5707; Mackenzie 54, 5624, 5626, 5630; F. S. Miller 54; Stephenson 4461, 5623-6, 5630, 5707.

Workers, construction

di Santo 1881; Lupusella 4604; B. Newman 975; Stephenson 1881, 4604; Timbrell 4583.

Workers, contract, government

Angus 2714; Auld 486-9, 1305-6, 1868, 3484; Breithaupt 486; Bryden 1325, 1664, 1666, 2024-6; Cassidy 3484; Davidson 1798; Lewis 2320; Mackenzie 987; McKeough 2025-6, 4935; Meen 1666; Peterson 4935; Reid 1868; Ruston 1804-5; Samis 2545; Sandeman 2618; S. Smith 2320; Stephenson 987; Taylor 2320-1.

Workers, disabled/injured

Bain 5281-2, 5413-5, 6070; Bounsall 3572, 4603; Campbell 5815, 5819-21; di Santo 3892, 4633, 5282; Haggerty 3572, 5415-7, 5830-41; Lewis 4632, 5935-45; Lupusella 3647-51, 4603, 4633, 5117, 5419-20, 5754-67, 5800-3, 5809, 5840-1, 5846-7; Mackenzie 5813, 5843-54; Mancini 4662-3, 5810-8; O'Neil 5803-9; R. S. Smith 5854-8; Stephenson 3572, 3892, 4603, 4632-3, 5117, 5417-9, 5803, 5815-8, 5821, 5827, 5831-4, 5836, 5838-9, 5843-4, 5850-2, 5858, 6070-1; Sweeney 5420-2; Wildman 4741-2; Williams 5422-3; Yakabuski 5821-4.

Workers, hospital/health

Auld 1827-8; Bryden 471; Burr 849; Campbell 1403; Cunningham 855; Davidson 1827-8; Davis 749; Deans 663-4, 749, 2578, 3491; di Santo 427; Duksza 214-8; Ferrier 497, 668, 670; Grande 434; Grossman 1544-5, 1939, 3786; Lewis 382, 2365-6, 2875-6, 3302; Mackenzie 656, 1508, 2578; Makarchuk 1815, 3820-1; F. S. Miller 230, 2876, 3302-3, 3789, 3820; B. Newman 506, 1545; S. Smith 458, 3822; Stephenson 656, 663-4, 1403, 1544-5, 1939, 2365-6, 2578, 3491.

Workers, immigrant/ethnic

di Santo 1159; Stephenson 1159.

Workers, liquor boards

Auld 1808-9; Bounsall 1878; Bullbrook 1805-9, 1878, 1886; Cunningham 1821-2; Deans 1878; Eakins 2557-8; Handleman 1878, 3225; Mancini 3225; McMurtry 1886; S. Smith 1878, 3224; Stephenson 3224.

Workers, maintenance

McClellan 1826.

Workers, migrant/seasonal

MacDonald 531-2; Moffatt 894; W. Newman 532.

Workers, mine

Bain 1612, 4229-30; Bernier 1259, 1612-3; Ferrier 5323, 5327-8, 5828-9; Germa 835, 2664-6; Laughren 3833, 4643, 4689-90; Lewis 1259, 1612, 3803-4, 3919-20; Martel 835, 3804, 3848-50; Parrott 835, 2665; Stephenson 2228, 3803-4, 3919-20, 4059-60, 4689-90, 5829.

Workers, probationary

Auld 1827; Davidson 1826-7.

Workers, pulp/paper

Angus 734; Stephenson 447; Swart 447.

Workers, rubber

S. Smith 2967; Stephenson 2967-8.

Workers, shutdown plants

Lewis 1850.

Workers, sintering plant

Mackenzie 4199, 4385, 6066; Stephenson 4199, 4386, 6066.

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Workers, smelter

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Workers, steel

Mackenzie 964, 1458; Stephenson 964, 1458.

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Workers, textile

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Workers, unorganized/underpaid

Breaugh 3983-5; Samis 2550, 4778.

Workers, women

Campbell 1082; Stephenson 1082; Warner
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